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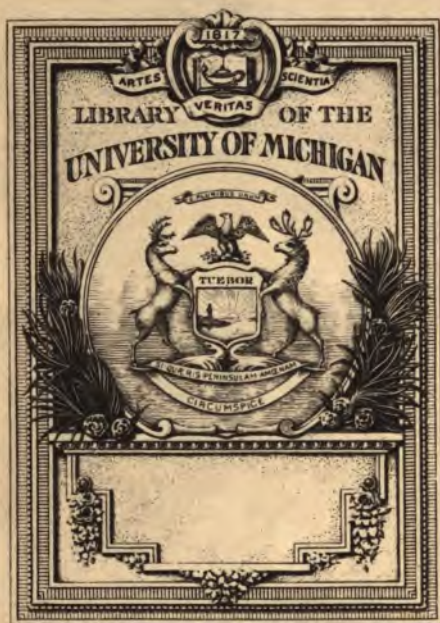
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A GENERAL
COLLECTION
OF

TREATYS, Declarations of
War, Manifestos, and other Publick
Papers, relating to Peace and War.

IN FOUR VOLUMES.

VOL. I. Containing,

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| The Treaty of <i>Munster</i> , 1648. | Declarations of War by the Allies
against <i>France</i> , 1688, 1689,
and 1702. |
| The <i>Pyrenean</i> Treaty, with the
<i>French</i> King's and the <i>Infanta's</i>
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Dominions, 1659. | The first Grand Alliance, 1689. |
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| | With many others, to be seen in
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L O N D O N :

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*An INTRODUCTION,
containing an Historical Account
of the Breach of solemn Treatys,
by Lewis XIV. late King of
France.*

BEFORE we come to the Facts, 'tis necessary to take notice that the Principles of Ambition which led him to aspire to the Universal Monarchy, and the Principles of Treachery which were needful to be practis'd towards his obtaining it, were infus'd into him by those who had the charge of his Education; and his Conduct hitherto has given the World a sufficient Proof that he has cultivated both to the highest Degree.

The Bishop of *Rhodes*, who was appointed to be his first Preceptor or Tutor, gave him for a Model of Government, the Designs of his Grandfather, *Henry IV.* as appears by the Book which the Bishop publish'd on that Subject. After that great Prince had made good his Title to the Crown of *France*, by renouncing the Protestant Faith, and subduing those who had made the Catholick League against him, he form'd a Project to cast *Europe* into a new Model, to reduce all the Kingdoms and Common-wealths of it to a certain number, and to prescribe them such bounds as he shou'd think fit, reserving to himself such a share as might enable him or his Successors to grasp the Universal Monarchy, as his Predecessor *Francis I.* intended before him. To this end he chose his Generals and other great Officers, erected vast Magazines of Ammunition and Arms, and laid up prodigious Sums of Money; but as he was going to model his Army, he was murder'd in his Coach by *Ravilliac*. In pursuance of the like Design, *Lewis XIV.* apply'd himself in his Youth to read the Memoirs of the said *Henry IV.* with those of the President *Jeannin*, and the Bishop of

Rhodes; but tho he copy'd very well after his Grandfather's Ambition, he study'd nothing of his Generous Qualifications, which made him the Darling of his Subjects, and procur'd him the Esteem of the greatest Princes and States in *Europe*: so that he inverted his Plan in every thing that carry'd a shew of Equity, and set up on the foot of making himself an absolute Conqueror, and of forcing all *Europe* to submit to his Chains.

In order to this, abundance of mercenary, but able Pens, were imploy'd to flatter his Ambition, on pretence of making his Character glorious: in order to which they possess'd him with the following Maxims. 1. That any Title was sufficient to take possession by the Sword. 2. That the greatest part of *Germany* was the Patrimony and antient Inheritance of the Crown of *France*. 3. That his Predecessor *Charlemaign* possess'd *Germany* as King of *France*, and not as Emperor. The Writers on those Subjects were gratefully rewarded; and one of 'em dedicated a Book to him, intitl'd, *The Just Pretensions of the King of France to the Empire*; wherein, besides the abovemention'd Principles, he laid down these following Propositions, viz. *That the Dominions of Sovereign Princes have always been the Dominions and Conquests of their Estates, and that the Dominions and Conquests of Crowns can neither be alienated nor prescrib'd*: tho at the same time there were Treatys betwixt the Crown of *France*, the Empire, and other Princes, directly contrary to those Maxims.

But to come to the Treatys, the first we shall take notice of, is that of *Munster*, which was concluded betwixt the Plenipotentiarys of the Emperor and Empire, and the French Plenipotentiarys at that City, the 24th of *October* 1648. As to which 'tis fit to observe, that the Empire having desir'd the Assistance of *France* against the House of *Austria*, the French on pretence of that Assistance possess'd themselves of several Provinces and considerable Towns in *Spain*, *Italy*, *Germany*, and the *Netherlands*; so that the Empire finding themselves to be in as much Danger from *France*, as they had formerly been in from the House of *Austria*, they willingly came into that Peace, and were content to sit down with their Losses, rather than trust their French Allies any longer. The Court of *France* perceiving that they cou'd not put off the Peace of the Empire by their usual Intrigues, nor hinder the Dutch to make a separate Peace with *Spain*, they found Methods to have the Treaty of *Munster* finish'd,
without

without including the *Spaniards* or the Duke of *Lorain* in the General Peace: and Monsieur de *Wicquefort*, in his Book intituled, *L'Ambassadeur & ses Fonctions*, Lib. 2. Sect. 13. informs us, that Cardinal *Mazarine* endeavour'd to prevent the Peace all that he could; and tho' his Master's Troops pretended to espouse the Interest of the Protestants, and that the *Spanish* Ministers press'd the Imperial Court to grant them all their Demands, yet under-hand he hinder'd it, that by continuing the War he might unite the *Spanish Netherlands* to the Crown of *France*: and at the same time he favour'd the Elector of *Bavaria*, the chief of the Papists, against the Elector *Palatine*, who had been the Head of the Protestant League in the Empire. By those Intrigues the Cardinal and others of the young *French* King's Governors, not only laid a Foundation for a new War, whenever they shou'd think fit, but got all confirm'd to them that they had taken from the Emperor and Empire in a hundred Years before, viz. the City of *Brisac*, the Landgraviate of Upper and Lower *Alsace*, *Suntgow*, and the Provincial Lordship of the ten Imperial Citys in *Alsace*, with all their Dependencys, to be incorporated with the Kingdom of *France* for ever. They did also obtain a perpetual Right to keep a Garison in *Philipsburg*, and to the Sovereignty of the Citys and Diocesses of *Metz*, *Toul*, and *Verdun*, by which they open'd their way into the Empire on the *Moselle*, and the Upper and Middle *Rhine*, whenever they saw occasion; or as soon as their King, who was then about ten years of Age, shou'd be in a Capacity to practise the Ambition and Treachery which they bred him up to.

When he came of Age, Cardinal *Mazarine* brought on the Treaty of the *Pyrenees*, in order to lay a surer Foundation for his Master's Greatness, and had the satisfaction to see his Pupil outdo all the Copys of Perfidiousness and Treachery he had set him. This Treaty was concluded by the Cardinal for *France*, and Don *Lewis Mendez de Haro* for *Spain*; by which a Peace was made betwixt the two Crowns on the 7th of *November* 1659, when the *French* King was left in Possession, 1. Of all *Artois*, except *Ayre* and *St. Omers*, with their Dependences. 2. Of *Graveling*, the Forts *Philip*, the *Sluce*, *Hannum*, *Bourbourg* and its Chatellany, and *St. Venant*, in *Flanders*. 3. In *Hainault*, he had *Landrecy* and *Quesnoy*, with their Chatellanys and Dependencys. In *Luxemburg*, *Thionville*, *Montmedy* and *Damvilliers*, with their Dependencys, and the Provost-

ships of *Ivoy*, *Chavancy*, *Chasteau* and *Marville*, with all that belong'd to them; *Marienburg* and *Philippeville* on the *Maes*, with all their Dependencies; *Avennes* on the *Sambre* with all that belong'd to it; *Rocroy* in the *Ardennes*; *le Chatelet*, at the Head of the *Scheld*, and *Linchamp*. 5. On the side of *Germany*, all that had been granted him by the Treaty of *Munster* was confirm'd. 6. By this Treaty the Duke of *Lorain* was in a manner sacrific'd to him; for *Nancy*, his Capital, was to be dismantled, and not be refortify'd; and all the Guns, Arms, and Ammunition to be carry'd off: he was strip'd of the whole Dutchy of *Bar*, the County of *Clermont*, the Provostships of *Stenay*, *Dun* and *Jametz*, *Moyenvic* and their Dependencies. 7. By this Treaty all the French King's Pretensions to the Kingdom of *Navarre* were left in *Statu quo*, and his Sovereignty over the County of *Carolois* in *Burgundy* was reserv'd to him, the King of *Spain* being to hold it in Fee, as before the War. 8. On the side of *Spain*, the County of *Roussillon*, the Viguery of *Conflans*, and part of *Cerdagna* were yielded to him. 9. In *Italy*, the King of *Spain* oblig'd himself to restore *Vercell*, with its Dependencies, to the Duke of *Savoy*, to withdraw his Garison from *Correggio*, to pay the Duke the Arrears of the Dower of the late Infanta *Catharina*, to restore the Duke of *Modena* to his Favour, and allow him a Neutrality; to restore the Prince of *Monaco*; and on the French King's Intercession the King of *Spain* restor'd *Juliers* to the Duke of *Neuburg*.

By this means the French King had put into his hands the Keys of the Empire, *Spain* and the *Netherlands*, which was necessary for his Design, to obtain the Universal Monarchy, that he has since discover'd.

We cannot suppose the *Spaniards*, who are a wise People, to have made him such a Sacrifice without a valuable Consideration, which was to preserve what they had left entire, that they might be at liberty to recover the Kingdom of *Portugal*, which had newly revolted from them, and to obtain restitution of the Dutchy of *Burgundy*, and some places of Importance the French had taken from them in *Flanders*. Besides, they had some hopes of tying down this young aspiring Prince by the Bonds of Love, since they could not do it by force of Arms, especially when the hands of the German Branch of the House of *Austria* were tied up from assisting them by the Treaty of *Munster*, and their own low Circumstances. In order to this, a Contract of
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Marriage was agreed on betwixt *Lewis XIV.* and the Infanta *Maria Theresa*, the King of *Spain's* eldest Daughter, on condition that he and she should solemnly renounce all Pretensions, for themselves and their Successors, to the Crown of *Spain*, or any of the Dominions thereunto belonging; which was ratify'd by the 33d Article of this Treaty, and there call'd, *the chief part of it, and the most worthy, as well as the greatest and most precious Earnest of the Surety of its Duration.*

But that the *French Court* might shew themselves to be still act'd by the same Maxims of Treachery and Cruelty; as they made the Match betwixt the King of *Navarre*, afterwards *Henry IV.* and *Margaret of France*, a Trap to ruin the Protestants by the Infamous Massacre of *St. Bartholomew*, so they made the like Trap of this Match to ruin the Family of *Austria*, and usurp their Dominions, which has occasion'd so much Blood in *Europe*, and God knows when the Current will be stopp'd.

We come now to the *French King's* Behaviour at and after this Treaty; which opens such a Scene of Perjury, Atheism and Treachery, as all Circumstances consider'd, never had its Parallel in the World.

To prove this, we shall bring some Instances which make it evident that the *French King* swore to the Clause of Renunciation, with a design to break it. The first is from Cardinal *Mazarine's* Letter to Monsieur *Lionne*, of *August 3, 1659.* where he says, "We cou'd not suffer ourselves to be persuaded to lose so many Advantages, which with Justice we might pretend to, without agreeing to the Marriage of the King with a Princess who might come to be Heiress of so great a Monarchy as that of *Spain*." And in the same Letter he says, "That when Monsieur *Piementel* made the Overture of the Marriage, 'twas without making mention of the Renunciation." In his Letter to Monsieur *le Tellier* of *August 23.* he gives an account of his Conference with Don *Lewis de Haro*, the *Spanish* Minister, wherein he wou'd have persuaded him to consent to the Marriage without the Renunciation; but Don *Lewis* stopp'd his mouth, by telling him that the Emperor had offer'd, in case he might have the Infanta for himself, that he wou'd break with *France*, and in all things follow the Conduct of *Spain*; which oblig'd the Cardinal to accept the Match with the Clause of Renunciation. In that same Letter he says, That Don *Lewis* durst not pro-

pose the Marriage to the Court of *Spain* without the Renunciation, they being so averse to it that there were none of the Council but himself and one more, who were for the Match, even with that Clause; for they all maintain'd, and he himself was of the same Opinion, "That if the King of *Spain* shou'd lose his two Sons, which there was great reason to fear, they cou'd not expect that the King of *France* wou'd quit his hopes to succeed him, and renounce so great Pretensions." Upon which the Cardinal adds his own Reflections in the following words: *I am fully persuaded of the truth of all this, for several very strong and conclusive Reasons.* And he subjoins: Moreover I well remember what the Queen, his most Christian Majesty's Mother, who likewise made a Renunciation when she was married to *Lewis XIII.* often told me when her Brother the King of *Spain* had but one Son; but, says he (in a rapture of Joy) I was well pleas'd to hear the same thing from the first Minister of *Spain*, and that their whole Council is of the same Sentiments. These Letters being writ for the King's own perusal, the Cardinal durst not have presum'd to use so much freedom, had he not been persuaded that it agreed with his Majesty's Intentions.

The second Instance is from Monsieur *Auberry's* Life of Cardinal *Mazarine*, dedicated to the King himself by the Author, who was an Advocate of the Parliament of *Paris*, and one of the King's Council. He says, in the second Tome of *Mazarine's* Life, p. 554, the Cardinal acted prudently to sign the Contract of Marriage, without having any regard to the pretended Renunciation; which being manifestly contrary to common Right, and to the Law and general Custom of the State, might be freely contradicted and disavow'd. These are full Proofs of the *French* King's swearing to the Treaty of the *Pyrenees*, with a design to break it: and what aggravates his Crime, is, that he had the same treacherous Intention when he took his Marriage-Oath; which since, according to the Religion he professes, he looks upon as a Sacrament, is a clear Demonstration that he is not to be ty'd even by what he himself accounts to be most Sacred. The first open breach he made of this Treaty, was, That tho in the 6th Article of the Contract of Marriage, 'twas stipulated, as appears in p. 115 of the following Collection, that he shou'd make another Ratification of the renouncing Clause, jointly with his Queen, as soon as he shou'd be marry'd, and enregister the same in the Parliament

ment of *Paris*, with other necessary Clauses according to the usual Form, yet he wou'd never comply with it; so early had he learn'd to play fast and loose with Oaths and Sacraments, and so little regard or love had he to the Honour or Person of the Infanta, whom he cou'd never have obtain'd without this Renunciation.

The second Breach was that of the 60th Article of the *Pyrenean Treaty*, p. 69. by which the *French King* oblig'd himself to abandon *Portugal*, and to give that King no assistance, in the following words: "His said Majesty shall meddle no more with the said affair, and doth promise and oblige himself upon his Honour, and in the Faith and Word of a King, for himself and his Successors, not to give unto the fore-mention'd Kingdom of *Portugal*, neither in general, or to any Persons of it in particular, of what Dignity, Estate or Condition soever, neither now nor hereafter, any Aid or Assistance, publick or private, directly or indirectly, of Men, Arms, Ammunition, Victuals, Ships or Mony, under any pretext, nor of any thing else, either by Land or Sea, or in any other manner: and that he wou'd not suffer Levys to be made in any part of his Kingdoms and Estates, nor grant free Passage to those which may come out of other Countrys to the Assistance of the said Realm of *Portugal*."

But so far was the *French King* from observing this Article, that immediately after the Treaty, he sent privately several Bodys of Troops to *Portugal*, and encourag'd their Obstinacy to maintain the Duke of *Braganza* upon the Throne, contrary to the House of *Austria*; which was so much the more gross, because it appears by many places of the Cardinal de *Mazarine's* Letters, that the *French King* must of necessity have continu'd the War, and gone without his Bride, nor wou'd the *Spaniards* have abandon'd the Duke of *Lorain*, and the Prince of *Conde*, as they did in so many material Points, but merely on the Consideration of the *French King's* abandoning *Portugal*. When the *Spanish Ambassador* at *Paris* complain'd of this Breach to the *French King*, that Prince, to shew how well he was vers'd in the Art of Dissimulation, sent Orders to all his Ports that no Forces shou'd embark there for *Portugal*, which they did notwithstanding; and when the *Spanish Minister* renew'd his Complaints, he was told that this was the Marshal de *Turenne's* particular Aét, and that the Court had no hand in it: tho at the same time the *Spaniards* intercepted several Letters

Letters betwixt Monsieur *Leon*, the Archbishop of *Ambrun*, and Count *Schomberg*, which fully prov'd that the latter kept a constant Correspondence with the *French Court*, and receiv'd all his Directions from thence for carrying on the War. So early had the *French King* learn'd the Art of debauching Protestant Generals so far, as to concur with him in carrying on his treacherous and tyrannical Designs.

The Treachery of the *French King* in this matter was still more evident by the Letters which the *Spaniards* intercepted; which made it evident, that soon after the Treaty, they hinder'd the *Portuguese* from accepting the advantageous Proposals made them by the *Spaniards*, by promises of such assistance, as shou'd enable them not only to defend themselves, but to carry the War into the Heart of *Spain*. And soon after the close of the Treaty, Mr. *Colbert* made several Journeys into *Portugal* to encourage them, and to contract a secret Alliance with them; and Monsieur *Courtin* went to *England* at the same time, to move the King of *Great Britain* not to abandon the *Portuguese*: Nay, the *Spaniards* intercepted in a *French Vessel* coming from *Portugal*, an account of the Expences and Succours which *France* had given without intermission to the *Portuguese*, from the close of the Treaty; and among other things, that they had maintain'd Troops there to uphold the War: and all this at the very time when they offer'd to the *Spaniards* to compose the Differences betwixt them and *Portugal* by their Mediation. But as ill Men become more and more hardned in their Wickedness by continuing the Practice of it, the *French King* in 1667. when he began to form his Design of invading the *Spanish Netherlands*, did openly, in defiance of the *Pyrenean Treaty*, make a League Offensive and Defensive with *Portugal*, against all Nations, *England* excepted.

By this Treaty, all the Harbours which the *Portuguese* shou'd take in *Spain*, either upon the one or the other Sea, were to be put into the Power of *France*; which was to furnish 'em with Men and Money by way of Loan: and this Treaty was to last for ten Years, and the *French* were not to treat until the *Portuguese* were intirely satisfy'd, as we are inform'd by the Author of *The Buckler of State and Justice*.

Having thus treacherously enfeebl'd *Spain*, by continuing the War of *Portugal*, the *French King* dealt in the same manner with the Duke of *Lorain*; and contrary to the Reservations

tions made for the said Duke in the Treaty of the *Pyrenees*, as appears by p. 70, &c. of these Collections, he forc'd him to sell him his Dutchy, to the prejudice of his lawful Successor: but knowing that the Contract was null of itself, the *French King* oblig'd him by Force to put the only Place left him into his hands, by means of which he revok'd the Bargain, and got the thing without paying the Price.

The next thing the *French King* did, was to possess himself of those Provinces belonging to the *Spaniards*, where he was likely to meet with most opposition to his design of making himself Master afterwards of the whole *Spanish* Monarchy, either because of their native Strength, or because of the Interest that neighbouring Princes and States were like to take in their Preservation; and these were *Flanders*, the *French County*, and *Milan*.

In 1665. the Queen-Mother of *France*, who had made the same Renunciation as her Son the *French King* had done, told the *Spanish* Ambassador, in a Discourse, that she was sensible of the ill Advice given her Son the *French King* to set up Pretensions upon the Monarchy of *Spain*; she was sensible also of his desire of Glory, and of the unquiet Temper of the *French* Nation, and being afraid that these things might give a disturbance to the Peace, of which she look'd upon her self to be the Author; she therefore desir'd him to acquaint her Brother the King of *Spain*, that she thought it necessary, since he had given so much for a Peace, to give yet something more for preserving it, and to stop the Mouths of those that push'd on the King her Son to violent Resolutions; and that for her part she wou'd inspire him with all the Moderation she cou'd.

But the *French King* was so far from having any regard to the Advice of his Mother, or to her Honour, that he perfectly gave her the Lye in his Letter to the Queen Regent of *Spain*; to whom he wrote, that his Mother, in this Conference, told the Marquis that his Pretensions were just, solid and undeniable.

The *Spanish* Ambassador gave the Court an account of what had pass'd betwixt him and the Queen Mother of *France*; but *Philip IV.* of *Spain* dying a little after, they return'd no immediate Answer, only the Ambassador had Orders that if the Queen-Mother of *France* shou'd again debate that Business, he shou'd inform her fully of the falshood of the *French King's* Pretensions, and that the Queen-Mother of *Spain* cou'd do nothing in those things herself during the Regency.

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The *French King* made no Complaint of this Answer, nor any new Proposals upon it: and when he sent the Marquis *de Bellefonds* to *Madrid* with a Compliment of Condolance upon the King of *Spain's* Death, he gave him no orders about his Pretensions; but on the contrary, the Archbishop of *Ambrun*, the *French* Ambassador at *Madrid*, gave all Assurances of his Master's Intentions to keep the Peace, propos'd entering into a League with *Spain*, to compose their differences with *Portugal*; and reproached those as Persons of a seditious and turbulent Humour, who wou'd call in question his Master's Sincerity. Nay the *French King* himself, when the *Spanish* Ambassador took leave of him to return to *Spain*, charg'd him to engage his Faith and Word to the Queen, that he wou'd keep a constant Amity with her and her Kingdom, without saying one word of his Pretensions.

By these false Promises he lull'd the *Spaniards* asleep; and to prevent their making any Alliances for their own Defence with their Neighbours, he declar'd to the *Spaniards*, that if they sign'd any Treaty with *England*, or made a Peace or Truce with *Portugal* upon their Mediation, he wou'd immediately declare War against them, as appears by Sir *William Temple's* Letter to the Earl of *Clarendon* from *Brussels*, May 4, 1667.

The *French King* having also by his Practices and private Intrigues with *Charles II.* King of *Great Britain*, rais'd a War betwixt *England* and *Holland*; he continu'd it by the same Arts, because he knew very well that an Union betwixt those two Powers wou'd be an effectual curb to his Designs upon the *Spanish* Monarchy. Being unwilling, however, to alarm *Europe* too much, he made his Pretensions at first only to the Dutchy of *Brabant*, with its Appurtenances; the Lordships of *Mechlin*, *Antwerp*, Upper *Guelderland*, *Namur*, *Limburg*, the United Places beyond the *Maes*, *Hainault*, *Artois*, *Cambray*, the *French* County, and part of *Flanders*; which was expressly contrary to the *Pyrenean* Treaty.

The *French King* having thus abused the Credulity of the *Spanish* Court, and prevented their taking necessary Measures for their own Preservation, he assembled his Army on the Frontiers of *Flanders*, on pretence of a general Review; and on the 8th of May 1667. he wrote to the Queen of *Spain* that he was ready to appear at the head of his Army to do himself right, and at the same time sent her his Manifesto, without having made any other Demand of his pretended Rights, but what pass'd in the Conference formerly mention'd

mention'd betwixt his Mother and the *Spanish* Ambassador. The Queen Mother of *Spain* return'd him an Answer the 21st of the same Month, wherein with great Modesty and Reason she laid open the Injustice of his Pretensions and Proceedings; but told him, since he desir'd an Accommodation, she was willing to agree to it, and desir'd him to name Commissioners, and appoint a place of Treaty. But the *French* King, that his Conduct might be all of a piece, did not stay for her Answer, went to his Army eight days after the Date of his Letter, and made those surprising Conquests, which at that time alarm'd and amaz'd all *Europe*: Nay, he was so far from standing to his own Proposal of an Accommodation, that he reject'd it with fury, when the *Spanish* Minister offer'd to agree to it, and to refer it to the Arbitration of neighbouring Princes.

All his Neighbours being alarm'd at his Progress in *Flanders*, and his Conquest of the *French* County, *England* and *Holland* clap'd up a Peace betwixt themselves, and the King of *England* brought *Portugal* to a Peace with *Spain*. In 1668, the Triple League between *England*, *Holland* and *Sweden*, was concluded, as in p. 136. of these Collections: which put a stop to the Arms of *France*, and brought on the Treaty of *Aix la Chappelle*, as at p. 156. This Treaty sav'd the remainder of *Flanders*, and oblig'd the *French* King to restore the *French* County, after demolishing all its Strengths; but he still retain'd and had confirm'd to him for ever, *Charleroy*, *Binch*, *Aeth*, *Doway*, *Fort Scarp*, *Tournay*, *Audenard*, *Lisle*, *Armentiers*, *Courtray*, *Bergs* and *Furnes*, with all their Appurtenances and Dependencys. Yet the *French* King, far from being satisfy'd with this, and knowing that the Triple League was an invincible Barrier against his Design of grasping the Universal Monarchy, he resolv'd to break it; and for that end sent over the Dutches of *Orleans*, who had an Interview with her Brother King *Charles II.* at *Dover* in 1670. and not only prevail'd with that Prince to disengage himself from that Alliance, but to concert measures with *France* to carry on a joint War against the *Dutch*, which broke out in 1672. The reason of his attacking the *Dutch*, was, that he knew they were concern'd in Interest, as well as oblig'd by Treaty, to prevent his getting any more of the *Netherlands* into his Possession.

The Reason which mov'd our King *Charles II.* to join with him, was, the Assurance given him by his Sister the Dutches of *Orleans*, in the Name of the most Christian King,

King, that he wou'd assist him to attain an absolute Authority over his Parliament, and to establish Popery in his Dominions; as we are inform'd by the History of the War of *Holland*, printed at *Paris* * in 1682, with the *French King's* Allowance, but afterwards suppress'd; and the Count de *Maiole*, who wrote it, was put into the *Bastile*, upon complaint of the *English* Ambassador, because it discover'd the secret Transactions betwixt the two Courts. The *French King* likewise engag'd the Emperor to approve the Confederacy against the *Dutch*, on condition that he shou'd not invade the Empire nor the *Spanish* Dominions. And all things being thus prepar'd, he actually invaded their Provinces; and brought that Republick to the brink of Ruin. His Treachery in this was so much the more palpable, that 'twas not only contrary to Treaty, but without any Declaration of War, or demand of Reparation for any Injurys real or suppos'd: tho the States wrote very respectfully to him upon his Preparations in 1671, and promis'd to make him all reasonable-Satisfaction, if they had fail'd towards him in any thing. King *Charles II.* of *England* follow'd his Example in this, and attack'd the *Dutch East-India* Ships in their return home, without any Declaration of War.

The *French King* and he publish'd their Declarations afterwards, as did the Bishops of *Cologne* and *Munster*; but all of 'em so frivolous, that every body perceiv'd there was something else at bottom than what was pretended in those Declarations. The *Dutch* publish'd Answers to them severally, wherein they sufficiently expos'd the Treachery of all the four, and the falseness of their Pretensions. Thus the *French King* engag'd *K. Charles II.* in Treachery and Perjury with himself. But the *English* being dissatisfy'd with the Measures of our Court and the Progress of the *French King*, it encourag'd the *Dutch* to send Deputys to *England* to solicit a Peace. King *Charles* accordingly sent over four Persons of Quality to confer with the States and the Prince of *Orange*, to whom they pretended that the King design'd only to humble, but not to ruin them; and that being alarm'd at the Progress of *France*, he was much inclin'd to their Interest. This was nothing in Effect but a *French* Artifice, for the same Persons renew'd a Treaty with the *French King* for three years, and both of them deliver'd their Demands to the *Dutch*; which were so extravagant, that the States resolv'd to risk all rather than agree to them, and apply'd to the Empire for Assistance. In

* See *State Tracts* in *K. William's* Reign, Vol. I. at the beginning.

In 1674, the Parliament of *England* being uneasy at the War with *Holland*, a Separate Peace was made with the *Dutch*, and *Spain* and a great part of the Empire declar'd in their favour; which, together with the Admirable Conduct of the Prince of *Orange*, retriev'd their Affairs. The *French King* continu'd his War however upon the *Spaniards*, which occasion'd a Treaty of Defensive Alliance betwixt the King of *England* and the *Dutch*; as appears p. 177 of the following Collections: which was follow'd by another soon after, as at p. 183. and by a third, as at p. 188. by which the *Spaniards* were considerable losers. For instead of *Charleroy*, *Binch*, *Aeth*, *Audenard*, and some other Parts of his Conquests, which the *French King* restor'd to *Spain*, he had the *French County*, the Towns of *Besancon*, *Valenciennes*, *Bouchain*, *Conde*, *Cambray*, with the *Cambrevis*, *Aire*, *St. Omers*, *Ipres*, *Warwick*, *Warneton*, *Poperingen*, *Bailleul*, *Cassel*, *Bavay* and *Maubeuge*, with their Dependencys, confirm'd to him for ever; as appears by the Treaty of *Nimeguen*, p. 224 and 225, in the following Collections. By this means the *Spaniards* intirely lost the *French County*, and had but a weak Barrier left them in *Flanders*; yet the *French King* not being satisfy'd with this, did according to his usual way of observing Treatys, presently after the Peace, set up Claims to several of the most considerable Places of *Flanders*, &c. under the Pretence of Reunions, Dependences, as at p. 347, 437. but knowing those Titles to be weak, he back'd them by a powerful Army; and having secur'd the Friendship of our King *Charles II.* he did not much value any other opposition. He took *Luxemburg*, put the *Spanish* Provinces under Contribution, and miserably harass'd them; but being sensible that he cou'd not be long without opposition in those unjust Proceedings, he propos'd a separate and advantageous Alliance with the *Dutch*, who reject'd it because they saw the Snare laid for them: and King *Charles II.* of *England* being uneasy at home, because of the too well grounded Jealousys that the Nation had of his Popish and Arbitrary Designs, he propos'd to the States by Mr. *Henry Sidney*, afterwards Earl of *Rumny*, a Treaty of Guaranty to enforce that of *Nimeguen*. The *French* oppos'd it with all their might, but without effect; so that King *Charles* made another Defensive Alliance with the *Dutch* in 1680. The *French King* proceeded however in his Breach of the Treaty of *Nimeguen*, refus'd to settle the Limits betwixt him and *Spain* in
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ships of *Ivoy*, *Chavaney*, *Chasteau* and *Marville*, with all that belong'd to them; *Marienburg* and *Philippeville* on the *Maes*, with all their Dependencys; *Avennes* on the *Sambre* with all that belong'd to it; *Rocroy* in the *Ardennes*; *le Chatelet*, at the Head of the *Scheld*, and *Linchamp*. 5. On the side of *Germany*, all that had been granted him by the Treaty of *Munster* was confirm'd. 6. By this Treaty the Duke of *Lorain* was in a manner sacrific'd to him; for *Nancy*, his Capital, was to be dismantled, and not be refortify'd; and all the Guns, Arms, and Ammunition to be carry'd off: he was strip'd of the whole Dutchy of *Bar*, the County of *Clermont*, the Provostships of *Stenay*, *Dun* and *Jametz*, *Moyenvic* and their Dependencys. 7. By this Treaty all the *French* King's Pretensions to the Kingdom of *Navarre* were left in *Statu quo*, and his Sovereignty over the County of *Carolois* in *Burgundy* was reserv'd to him, the King of *Spain* being to hold it in Fee, as before the War. 8. On the side of *Spain*, the County of *Roussillon*, the Viguary of *Conflans*, and part of *Cerdagna* were yielded to him. 9. In *Italy*, the King of *Spain* oblig'd himself to restore *Verceil*, with its Dependencys, to the Duke of *Savoy*, to withdraw his Garison from *Correggio*, to pay the Duke the Arrears of the Dower of the late *Infanta Catharina*, to restore the Duke of *Modena* to his Favour, and allow him a Neutrality; to restore the Prince of *Monaco*; and on the *French* King's Intercession the King of *Spain* restor'd *Juliers* to the Duke of *Neuburg*.

By this means the *French* King had put into his hands the Keys of the Empire, *Spain* and the *Netherlands*, which was necessary for his Design, to obtain the Universal Monarchy, that he has since discover'd.

We cannot suppose the *Spaniards*, who are a wise People, to have made him such a Sacrifice without a valuable Consideration, which was to preserve what they had left entire, that they might be at liberty to recover the Kingdom of *Portugal*, which had newly revolted from them, and to obtain restitution of the Dutchy of *Burgundy*, and some places of Importance the *French* had taken from them in *Flanders*. Besides, they had some hopes of tying down this young aspiring Prince by the Bonds of Love, since they could not do it by force of Arms, especially when the hands of the *German* Branch of the House of *Austria* were tied up from assisting them by the Treaty of *Munster*, and their own low Circumstances. In order to this, a Contract of

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the French King's Perfidiousness. 7

riage was agreed on betwixt *Lewis XIV.* and the *Infanta Maria Theresa*, the King of *Spain's* eldest Daughter, on condition that he and she should solemnly renounce all pretensions, for themselves and their Successors, to the Crown of *Spain*, or any of the Dominions thereunto belonging, which was ratify'd by the 33d Article of this Treaty, there call'd, *the chief part of it, and the most worthy, as was the greatest and most precious Earnest of the Surety of Duration.*

It that the *French Court* might shew themselves to be act'd by the same Maxims of Treachery and Cruelty; they made the Match betwixt the King of *Navarre*, afterwards *Henry IV.* and *Margaret of France*, a Trap to the Protestants by the Infamous Massacre of *St. Barthelemy*, so they made the like Trap of this Match to ruin the Family of *Austria*, and usurp their Dominions, which occasion'd so much Blood in *Europe*, and God knows the Current will be stopp'd.

Let us come now to the *French King's* Behaviour at and after this Treaty; which opens such a Scene of Perjury, Ambition and Treachery, as all Circumstances consider'd, it had its Parallel in the World.

To prove this, we shall bring some Instances which make evident that the *French King* swore to the Clause of Renunciation, with a design to break it. The first is from Cardinal *Mazarine's* Letter to Monsieur *Lionne*, of *August 1659.* where he says, "We cou'd not suffer ourselves to be persuaded to lose so many Advantages, which with little force we might pretend to, without agreeing to the Marriage of the King with a Princess who might come to be Heiress of so great a Monarchy as that of *Spain*." In the same Letter he says, "That when Monsieur *Mentel* made the Overture of the Marriage, 'twas without making mention of the Renunciation." In his Letter to Monsieur *le Tellier* of *August 23.* he gives an account of his Conference with Don *Lewis de Haro*, the *Spanish* Minister, wherein he wou'd have persuaded him to consent to the Marriage without the Renunciation; but *Lewis* stopp'd his mouth, by telling him that the Emperor had offer'd, in case he might have the Infanta for himself, that he wou'd break with *France*, and in all things follow the Conduct of *Spain*; which oblig'd the Cardinal to accept the Match with the Clause of Renunciation. In the same Letter he says, That Don *Lewis* durst not pro-

Civil War by that Expedition, and he thought it his Interest to let *Great Britain* be weaken'd by sheathing their Swords in one another's Bowels, that they might not be able afterwards, upon any turn of Affairs, to put a stop to his ambitious Design of Universal Monarchy, as they had done several times before. And thus he sacrific'd his dear Friend and Ally King, *James*.

These treacherous Proceedings of the *French King* occasion'd Declarations of War on both sides; and the Allies in theirs, charg'd the *French King* home with his Treacherys. That of the States of *Holland*, p. 256. charges him, 1. With invading them in 1672. in a time of profound Peace, contrary to solemn Treatys then in being, for no other reason, as he express'd it himself, but for the increase of his Honour and Glory. 2. With the breach of the Treaty of *Nimeguen* in 1678. 3. With laying exorbitant Dutys upon their Navigation and Commerce, contrary to the said Treaty. 4. With disturbing their Navigation as well within as without *Europe*, and attacking their Men of War in time of Peace, with a manifest design to ruin their Trade, and rejecting all their desires of Redress with Scorn. 5. That during his Persecution of his own Protestant Subjects, he had also involv'd their Protestant Subjects residing in *France* in the same Calamity, and treated them barbarously, contrary to the Law of Nations and express Treatys; parted Wives from their Husbands, and Children from their Parents; imprison'd their Subjects, refus'd them leave to withdraw, and barbarously us'd their Consuls. 6. That he threatned the States for making Alliances for their own Defence; which as 'tis allowable to all Sovereigns, they had a liberty to do by the Treaty of *Nimeguen*. 7. That in time of Peace contrary to the said Treatys, he had seiz'd the Vessels, Persons, and Goods of their Subjects in his Dominions; ill us'd their Merchants and Sailors, clap'd them up in Prison, and sold their Ships because they wou'd not change their Religion. 8. That his Troops had burnt and plunder'd several Places in their Dominions, before the War was declar'd, or at least on the same day, for no other reason, but because they made some extraordinary Levys for their own Security against his private Designs, of which they were too well inform'd.

The Governor of the *Spanish Netherlands*, in his Declaration of War against *France*, p. 272. charges the *French King*, 1. With declaring War against the *Netherlands* in April 1689. for no other reason but because the King of *Spain* had enter'd into an Alliance with other Princes and States, for

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the French King's Perfidiousness. 19

Defence. 2. With bringing the *Turks* upon *Hungary*, endeavouring to prevent a Peace betwixt the Emperor, his Allies and the *Ottoman Port*.

William and Queen *Mary* in their Declaration against *France*, p. 281. charge him, 1. With invading the Rights of the Emperor and Empire, their Allies, and them waste in a barbarous manner, contrary to Treaty, in *England* was concern'd as Guarantee, 2. With injuries against themselves and their Subjects, without Reparation, tho of late years they had not been notice of, for Reasons very well known to the World. 3. With invading our Trade and Settlements in *Newfoundland*, the Governor of which the *French* did formerly pretend to fish. 4. With invading our *Caribbee* Islands, lessing himself of *New York* and *Hudson's-Bay* in a manner, and treating the Inhabitants with the utmost barbarity; while at the same his Ministers were negotiating a Treaty in *England* for a Neutrality and good Correspondence in *America*. 5. With his countenancing the depredations of our Ships by his Privateers; forbidding the Importation of a great part of our Product, and laying exorbitant Duties upon the rest, with a design to destroy our Trade and Navigation. 6. With disputing our Right to the Flag, barbarously persecuting our Protestant Subjects in his Kingdoms, contrary to the Law of Nations and express Treaties, and forcing them to abjure their Religion by unchristian Crueltys; Imprisoning and sending to the Gallies our Merchants, Masters of Ships and Seamen. 7. With demanding Assistance to overthrow the Government of *Spain*, and invading the Kingdom of *Ireland*.

During the course of the War which follow'd those Designs, he treacherously brought the Duke of *Savoy* to leave the Alliance, and to enter into a separate Peace with *France*, appears p. 290.

It may also take notice here, that during the said War, it was plain by the Confession of *Grandvaux*, and others taken abroad, and by the Trial of *Sir William Perkins*, *King*, and *Keys*, &c. executed here, that he was engaged in the late King *James* in several Plots to assassinate *William* and Queen *Mary*: which is always reckon'd a barbarous practice in private Persons, but so vile and detestable in one Prince towards another, that the very Nations have always held it in abhorrence and detestation. The War was at last concluded by the Treaty of *Reswick*, appears p. 302. But it soon appear'd that the French King

enter'd into that Treaty with no other design than to break it as soon as he cou'd with safety and advantage ; and as the States of *Holland* charge him in their Manifesto of 1702, p. 422. he did it with no other view than to induce the Confederates to lay down their Arms, to disband their Troops, and to separate them from one another, in order to weaken and ruin them : for that part of the Treaty with the *Dutch* which related to Traffick and Commerce was scarce well ratify'd, when he begun to invade the Trade of their Provinces, and openly refus'd to grant them the Tariff stipulated in that Treaty, and put their Subjects and Merchants to numberless troubles on that head, and the States to a tedious and expensive Negotiation. After which they were oblig'd to submit to a disadvantageous Tariff, contrary to the Tenor of that Treaty, rather than hazard a new War : And tho 'twas also stipulated by the said Treaty that the *Dutch* Subjects who settled in *France* to carry on their Trade, shou'd be exempted from the Taxes and Dutys laid upon Foreigners ; yet he impos'd excessive Dutys upon them without giving any redress when demanded. 'Tis also well enough known how they chican'd and trifled with us about restoring our *Hudson's-Bay* Colony, and wou'd never come to settle a Tariff of Trade with us. He treated the Emperor and Empire in the same manner, and broke that Treaty by refusing for a long time to restore the Fortres of *Brisac*, and by the Injuriys and Damages he did to the House of *Montbelliard*, and countenancing a treacherous Explanation of the fourth Article of *Reswick*, by which the Protestants of the Empire were persecuted : nor was he any thing more punctual as to what he ought to have restor'd to the Crown of *Spain* by that Treaty. But notwithstanding these new Instances of his Perfidiousness and Treachery, King *William* and the States-General being willing to secure the Peace of *Europe*, if possible, and to prevent a new War about the Succession to the Crown of *Spain*, upon the Death of King *Charles II.* who was then in a languishing Condition ; they enter'd first into a Treaty of Partition with the *French* King for settling the Succession of *Spain* on the Electoral Prince of *Bavaria*, on condition that *Naples*, *Sicily*, *Guipuscoa*, &c. shou'd be granted to the Dauphin, and the Dutchy of *Milan* to Archduke *Charles*. But the Prince Electoral happening to die, they came to a second Treaty of Partition, by which the Dauphin was to have *Naples*, *Sicily*, &c. and the Dutchys of *Lorain* and *Bar*, for which the Duke of *Lorain* was to have the Dutchy of *Milan* ; and all the rest

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anish Dominions were to be given to the Arch-Duke Heirs for ever. The *French* King enter'd into these with all possible Proteſtations of Sincerity, and pre- had no other deſign in ſo doing but to preſerve e of *Europe*, and to remove all obſtacles that might t the ſame. That Treaty was no ſooner concluded, anifeſtly appear'd that the *French* King never intend- pit; for he immediately uſ'd all manner of Artiſe Court of *Spain*, not only to render the Emperor o the *Spaniards*, but likewise to oblige King *Charles* poſe of his Succeſſion by Will in favour of *France*. o 'tis fit to obſerve his treachery to King *James II.* man and Ally, whoſe Intereſt, with that of his ed Son and Daughter, he ſacrific'd to the Treaty of n, contrary to ſolemn Promiſes and all the Rules of le, ſince that unfortunate Prince had ruin'd himſelf wing his Meaſures.

author of *The Fable of the Lion's Share*, verifi'd in the f Partition, who was an able Penman employ'd by erial Court, makes theſe judicious Remarks upon gn of the *French* King in the Treaty of *Reſwick*, le of the Partition. 1. That he ſacrific'd ſo many f importance which he had fortify'd at a vaſt charge, everal Provinces that he had conquer'd, and expos'd Frontiers, by demolishing many Strengths, merely might have an opportunity of uſurping the Monar- pain. 'Twas this alone which made the Peace of *Reſ-* lutely neceſſary to him; for every one knows that e concluded that Treaty, he had the advantage of es by Arms. 2. His Deſign by the Treatys of *Par-* as, to divide the Allies among themſelves, and to e two Maritime Powers, and the Elektor of *Bava-* the Houſe of *Auſtria*; who he had reaſon to think lever agree to it, and cou'd ſcarce ever enter into a ip again with the *Engliſh* and *Dutch*, for abandoning t this manner, ſince by the 4th Article of the firſt Alliance, none of the Allies were to conclude a Peace, Treaty of *Weſtphalia*, *Oſnabrug*, *Munſter* and the s, were vindicated, and all things reſtor'd according enor of the ſame. 3. Conſidering the weakneſs of e of *Auſtria*, and their then Circumſtances, he o doubt either to bring them to agree to the Treaty, wards to break with the Allies, and join with him- on granting them better terms. 4. Having by this agag'd the Maritime Powers to acknowledge the E- lectoral

lectoral Prince of *Bavaria's* Right, notwithstanding the Renunciation of his Mother the Arch-Dutchess to all the Dominions of *Spain* upon her Marriage with his Father, he knew it laid a Foundation for the Dauphin afterwards to dispute his Right to the whole with that Prince, notwithstanding the Renunciation of his Mother the late Queen of *France*; who being a Daughter of *Spain*, he was nearer in Blood to that Crown than the Electoral Prince.

That same Author adds, That the *Spaniards* finding themselves depriv'd of their Allies by this Treaty, and their Monarchy dismember'd, 'twas a powerful Argument to induce them rather to accept of a Son of *France*, than to suffer themselves to be torn in pieces, and their Monarchy partition'd. He is very modest however as to the Motives, which he thinks might have induc'd King *William* and the States to enter into this Treaty; and supposes that perceiving the *French* King ready to break out into a War to make good his Pretensions to the *Spanish* Monarchy, when *England* and *Holland* were not prepar'd to resist him, he design'd, like a wise Politician, to charm the Storm by a Negotiation; and upon that account was not unwilling that the *French* King shou'd publish the Treaty, by which the House of *Austria* might take the Alarm, and enter into proper measures to prevent it.

But be that how it will, when the King of *Spain* dy'd, the *French* King, who had secretly broke that Treaty before by procuring a Will which settled the whole *Spanish* Monarchy on the Duke of *Anjou*, then publicly avow'd it; and by a Jesuitical distinction betwixt the Spirit and the Letter of the Treaty, he prefer'd that Will to the Treaty of Partition, and advanc'd his Grandson to the Throne of *Spain*, not only contrary to all those Treatys, but also contrary,

1. To the Laws of the Kingdom, which do not allow the Alienation of that Crown, nor that it shou'd be plac'd on the Head of a Stranger; the Succession being settled by consent of the States on the House of *Aragon*, from whom the House of *Austria* is lineally descended.

2. 'Twas contrary to the Renunciation made by *Lewis XIII.* and the Infanta *Mary Anne*, his Wife, at the time of their Marriage; the Validity of which was not then disputed.

3. 'Twas against the Renunciation made by the present *French* King and his Wife the Infanta *Mary Terefe*, at the time of their Marriage, and the Oaths which both of 'em swore on the Altar.

4. 'Twas against the Treaty of the *Pyrenees*, of which that Renunciation was one of the chief Articles.

5. 'Twas

5. 'Twas contrary to the Will of *Philip IV.* pursuant to that Renunciation.

6. 'Twas contrary to all the Arguments formerly made use of by *Lewis XIV.* against the Renunciations above-mention'd; which made him guilty of the same Injustice to the Dauphin and Duke of *Burgundy*, that he himself had charg'd upon the said Renunciations.

7. 'Twas expressly against the Civil Law, and the Decretal of Pope *Boniface VIII.* which says, *That every Renunciation made upon Oath by a Daughter above twelve years of Age, in favour of her Father, in order to a Contract of Marriage, by which a sufficient Dowry is assign'd her, ought to be good in Law, tho she be then under the Jurisdiction of her Father.*

As to the pretended Will of King *Charles II.* of *Spain*, by which the Duke of *Anjou* claims the Crown, we may observe, 1. That 'tis contrary to the Will of his Father, which was founded upon a Treaty with Consent of the States, and the solemn Renunciation of two successive Kings and Queens of *France*, ratify'd by all the Legislative Power of *France* and *Spain*: which is no great argument of the Piety of those that put him upon making it, or rather signing it. 2. That 'twas contrary to a Will which he made but a little before in favour of the Archduke, to his repeated Assurances to the Emperor, and to his known Inclinations. All which make it evident, that 'twas an Imposition upon him when he was struggling with the Pangs of Death, and in no condition to peruse, much less to compose such a Will.

But to return to the Treaty of Partition; the *French King* not only broke it, but upbraided King *William* and the *Dutch* with it in such a manner, as discover'd both his Treachery and Ingratitude: For in his Memorial after the King of *Spain's* Death, he charges the Treaty of Partition with being productive of infinite Troubles and Misfortunes common to all Europe: which was a full proof of his wicked Design and Insincerity, when he solicited the *English* and *Dutch* to enter into it. For here he acted the part of the great Enemy of Mankind, first to tempt, and then to accuse. In that same Memorial he reflected upon them as having no Right to those Dominions which were allotted him by the Treaty; by which he charges them as Usurpers, and meddling where they had nothing to do: tho upon the first publication of the Partition-Treaty, he join'd with them in their Memorials to the other Potentates of *Europe*; wherein 'twas express'd, that the Design of the Treaty was to pre-

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serve the Peace of *Christendom*, and that the Partitioning of the *Spanish* Monarchy for that end, was as necessary as the pulling down or blowing up a Street or some Houses, during a Fire, to prevent a whole City's being consum'd. He discover'd his Ingratitude still further, by charging the Maritime Powers with Insincerity, in demanding what they never design'd to obtain; and the *Dutch* in particular, with framing Views contrary to the Interest of their Republick: and that neither we nor they stipulated any advantage to our selves. The Design of this was to incense the Subjects of *England* and *Holland* against their respective Governments, as if they had concerted Measures with *France* prejudicial to their Trade and Liberty: and we know well enough what use the disaffected Faction made of this in *England*, when in Parliament they charg'd the King with having made a Felonious Treaty, and impeach'd his Ministers for consenting to it.

The *French* King having thus seiz'd the *Spanish* Monarchy by virtue of that pretended Will, one wou'd have thought he should have piously observ'd the Contents of it; but he was so far from doing so, that according to his usual Treachery he broke in upon it in many instances, and particularly by sending *Frenchmen* to possess the chief Trusts of the Kingdom, and to govern their Councils contrary to the 33d Article, by which King *Charles II.* order'd that each of his Kingdoms shou'd be govern'd by Natives without any Innovation.

This Treachery and Ingratitude of the *French* King, brought on the present Confederacy; wherein the late King *William III.* was the chief Instrument, but dy'd before the War was declar'd. Her present Majesty, who succeeded to his Designs for the publick welfare of *Europe*, as well as to his Crown, publish'd her Declaration of War against *France* on the 4th of *May*, 1702. which was less than two Months after King *William's* Death. Her Majesty charges him there with unjust Usurpations and Incroachments; with keeping possession of a great Part of the *Spanish* Dominions; with exercising an absolute Authority over all that Monarchy; with seizing *Milan*, and the *Spanish Low-Countrys*, and making himself Master of the Entrance into the *Mediterranean*, and of the Ports in the *Spanish West-Indies*; with a design to invade the Libertys of *Europe*, and to obstruct the freedom of Navigation and Commerce. 'Tis fit to be observ'd here, that before the Death of King *William*, the *French* King had declar'd the Pretender to be King of
Great

Great Britain and Ireland; which was directly contrary to the 1st and 4th Articles of the Treaty of *Reswick*, by which he was bound to a perpetual Peace and sincere Friendship with King *William*, to promote his Interest, Honour, and Advantage; and tied up from giving or affording any assistance directly or indirectly to any Enemy or Enemys of King *William*; and in no manner whatsoever to favour the Conspiracys and Plots which any Rebels or ill dispos'd Persons may in any Place excite or contrive against the said King; and that he wou'd not assist with Arms, or any other way, any Person or Persons who shou'd hereafter under any pretence whatsoever, disturb or molest the said King of *Great Britain* in the free and full Possession of his Kingdom, &c. Upon this her Majesty in her said Declaration, p. 421. of the following Collections, takes notice that the *French King*, instead of giving that satisfaction for his Contravention of the above-mention'd Treatys, which ought justly to be expected, not only proceeded to further violence, but added thereunto a great Affront and Indignity to her Majesty and her Kingdoms, in taking upon him to declare the pretended Prince of *Wales* King of *England*, *Scotland*, and *Ireland*; and had also influenc'd *Spain* to concur in the same Affront and Indignity, as well as in other Oppressions.

The States-General in their Manifesto, p. 422. recapitulate the *French King's* former breach of Treatys, and particularly that of *Reswick*; wherein, besides the other Infractions already mention'd, they charge him also with breaking the Treaty of Partition, notwithstanding the repeated Protestations he had made never to depart from it; and that he had violated the same without giving any previous Communication of his Intention to those with whom he had made it, alledging for his principal Motive, that the *Spirit and Sense* of the said Treaty, and not the Letter, were to be regarded; and explain'd that *Spirit and Sense* in his own way. He threatned them at the same time, if they did not concur with him, which they justly observ'd was an uncommon, as well as unheard of Breach of Faith, and a dangerous Instance, which tended for the future to undermine and ruin the Faith of all publick Treatys. They charg'd him likewise with having possess'd himself of the *Spanish* Dominions, contrary to the Treaty of Partition, without any regard to the Emperor's Pretensions; which being the Foundation of it, the greatest Part of the *Spanish* Monarchy was thereby yielded to the Archduke. He like-
wife,

wife, contrary to that, and former Treatys, had possess'd himself of the *Spanish Netherlands*, notwithstanding they had Garisons there by the Consent of the King of *Spain* for the Security of the Country; by which the *French* depriv'd them of the Barrier he had settled by former Treatys, and particularly by that of the Partition, and had procur'd an absolute surrender of those Provinces from his Grandson, whose Dominions he govern'd in as absolute a manner as if *France* and *Spain* were one and the same Kingdom. He likewise endeavour'd to force the States into a separate Treaty without their Allies; and to compel them to it, seiz'd *Liege*, and the most considerable Places of the Electorate of *Cologne*, that he might invade them on all sides, as in 1672. and for that same end rais'd a considerable number of Troops in the Country of *Wolfembüttel*. He likewise seiz'd all the Harbours of *Spain*, *Naples*, *Sicily*, and other Islands in the *Mediterranean*, and also of the *Spanish Netherlands* and the *West Indies*, to make himself intire Master of the Commerce of *Europe*, and to exclude them and other Nations from it. He endeavour'd also to perswade the King of *Portugal* to deny them his Harbours; and sent a Squadron to the *West Indies* to seize the Plate-Fleet, in which the Subjects of the States, and of other Princes and Potentates had so great a share; and at the same time he endeavour'd to amuse them with a Treaty for a General Peace, tho he erected a Fort in the *Netherlands* within Cannon shot of one belonging to the States, contrary to a Treaty agreed on with *Spain* in 1648. to the Laws of Nations, and those of War.

The Emperor in his Declaration, p. 430. charges the *French* King with the Breach of the Treaty of *Reswick*, and of the *Pyrenees*, with seizing several Hereditary Country's belonging to the House of *Austria*; with invading the Empire, and seizing several of its Fiefs; with supporting the Elector of *Cologne* in his Disobedience, and his Grandson the Duke of *Anjou* in usurping several Titles, as that of Duke of *Austria*, Count of *Hapsbourg* and *Tirol*, &c. which belong to none but the Archducal House. In the last place, with seizing the Dominions of *Spain*, on pretence of a Will contriv'd by some brib'd *Spanish* Counsellors, according to the Direction of the *French* King, which was offer'd to the late King of *Spain*, when he was so weak in Body and Mind, as not to be able to read or understand, much less to weigh and examine, as was necessary, the large Contents of the said Will, which of it self was full of Falsities, and incomprehensible

prehensible Contradictions, as well as contrary to the Intention of the said King, which he had so often signify'd to the Emperor.

All these things being consider'd, we may justly say that there was never a Prince in the World, and much less any who assum'd the Title of Christian, whose Reign affords so many Instances of study'd and deliberate Perjury, and Breach of solemn Treatys; nor have we an Instance of any Prince that ever pretended to the Belief of a God, that so frequently profan'd his Name by the breach of publick Oaths, or that play'd fast and loose in such a manner with things that they themselves accounted Sacred: So that like another *Pharaoh* he has all along bid defiance to the Almighty, and it has been the Language of his Practice, tho not of his Mouth, *Who is the Lord that I should obey him?*

Tho the Divine Vengeance has punish'd him in a remarkable manner by the Defeats of his Armys, and desolating Judgments upon his Dominions, he goes on still in his obstinate Perjurys and Usurpations; and has so chican'd with the Confederates in the business of the Preliminaries, that 'tis hop'd they will trust no more to his Treatys, till he be put out of condition to break them, and till they have such a Guaranty for the performance of 'em, as he and his Successors, whom he has bred up in his own Maxims, shall not be able to break.

As to the following Collection, 'twill speak for itself. 'Tis the only compleat thing of this Nature which has yet appear'd in *English*, therefore 'tis hop'd 'twill be of general use to open the Eyes of the *British* Nation, to let them see their true Interest, and what * they ought to insist upon in any future Treaty with relation to themselves and their Allies, and particularly for the Security of the Protestant Succession, and Protestant Interest in general, and for the Security and Inlargement of our Commerce; all which have suffer'd so much by the Perjury and Tyranny of *Lewis XIV.* whom if we and our Allies be not wanting to ourselves, the Divine Providence, which has so long made him the Rod of its Anger, and the Staff of its Indignation, seems † now to be throwing into the Fire.

* As to which Subject the Reader may consult a late Book, intitled, *The True Interest of Europe consider'd*, with respect to Peace and War, under the following Heads. 1. Whether it be for the Interest of the Allies to consent to a Peace in this Conjunction. 2. Upon what Conditions a lasting Peace may be settled. 3. The means for obtaining those Conditions.

† Viz. Anno 1710.

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THE
ARTICLES
OF THE
Treaty of Peace,

Sign'd and Seal'd at

MUNSTER, in WESTPHALIA,

October the 24th, 1648.

By the Ambassadors Plenipotentiarys of their
Sacred, Imperial, and Most Christian Maje-
stys, and the Extraordinary Deputys, Electors,
Princes, and States of the Sacred *Roman*
Empire.

IN the name of the most holy and individual Trinity:
Be it known to all, and every one whom it may con-
cern, or to whom in any manner it may belong,
That for many Years past, Discords and Civil Divi-
sions being stir'd up in the *Roman* Empire, which in-
creas'd to such a degree, that not only all *Germany*, but al-
so the neighbouring Kingdoms, and *France* particularly,
have been involv'd in the Disorders of a long and cruel
War: And in the first place, between the most Serene and
most Puissant Prince and Lord, *Ferdinand* the Second, of
famous Memory, elected *Roman* Emperor, always August,
VOL. I. B King

King of *Germany, Hungary, Bohemia, Dalmatia, Croatia, Sclavonia, Arch-Duke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquiss of Moravia, Duke of Luxemburg, the Higher and Lower Silesia, of Wirtemberg and Teck, Prince of Suabia, Count of Hapsburg, Tirol, Kyburg and Goritia, Marquiss of the Sacred Roman Empire, Lord of Burgovia, of the Higher and Lower Lusace, of the Marquissate of Sclavonia, of Port Naon and Salines, with his Allies and Adherents on one side; and the most Serene, and the most Puissant Prince, Lewis the Thirteenth, most Christian King of France and Navarre, with his Allies and Adherents on the other side. And after their Decease, between the most Serene and Puissant Prince and Lord, Ferdinand the Third, elected Roman Emperor, always August, King of Germany, Hungary, Bohemia, Dalmatia, Croatia, Sclavonia, Arch-Duke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquiss of Moravia, Duke of Luxemburg, of the Higher and Lower Silesia, of Wirtemberg and Teck, Prince of Suabia, Count of Hapsburg, Tirol, Kyburg and Goritia, Marquiss of the Sacred Roman Empire, Burgovia, the Higher and Lower Lusace, Lord of the Marquissate of Sclavonia, of Port Naon and Salines, with his Allies and Adherents on the one side; and the most Serene and most Puissant Prince and Lord, Lewis the Fourteenth, most Christian King of France and Navarre, with his Allies and Adherents on the other side: from whence ensu'd great Effusion of Christian Blood, and the Desolation of several Provinces. It has at last happen'd, by the effect of Divine Goodness, seconded by the Endeavours of the most Serene Republick of Venice, who in this sad time, when all Christendom is imbroil'd, has not ceas'd to contribute its Counsels for the publick Welfare and Tranquillity; so that on the one side, and the other, they have form'd Thoughts of an universal Peace. And for this purpose, by a mutual Agreement and Covenant of both Partys, in the year of our Lord 1641. the 25th of December, N. S. or the 15th O. S. it was resolv'd at *Hamburg, to hold an Assembly of Plenipotentiary Ambassadors, who should render themselves at Munster and Osnabrug in Westphalia the 11th of July, N. S. or the 1st of the said month O. S. in the year 1643. The Plenipotentiary Ambassadors on the one side, and the other, duly establish'd, appearing at the prefixt time, and on the behalf of his Imperial Majesty,**

The Treaty at MUNSTER.

3

the most illustrious and most excellent Lord, *Maximilian* Count of *Trautmansdorf* and *Weinsberg*, Baron of *Neustadt*, *Negan*, *Burgau*, and *Torzenbach*, of *Teinitz*, Knight of the Golden Fleece, Privy Councillor and Chamberlain to his Imperial Sacred Majesty, and Steward of his Household; the Lord *John Lewis*, of *Nassau*, *Catzenellebogen*, *Vianden*, and *Dietz*, of *Bilstein*, Privy Counsellor to the Emperor, and Knight of the Golden Fleece; Monsieur *Isaac Volmamarus*, of Law, Counsellor, and President in the Chamber of the most Serene Lord Arch-Duke *Ferdinand Charles*, in the behalf of the most Christian King, the most Excellent Prince and Lord, *Henry* of *Orleans*, Duke of *Lorraine*, and *Estouteville*, Prince and Sovereign Count of *Castel*, Count of *Dunois* and *Tancerville*, Hereditary Governor of *Normandy*, Governor and Lieutenant-General of the same Province, Captain of the *Cent Hommes d'Arms*, Knight of the King's Orders, &c. as also the most illustrious and most excellent Lords, *Claude de Mesmes*, *d'Avaux*, Commander of the said King's Orders, the Superintendents of the Finances, and Minister of the Kingdom of *France*, &c. and *Abel Servien*, Count of *Aubiers*, also one of the Ministers of the Kingdom of *France*. And by the Mediation and Interposition of the most illustrious and most excellent Ambassador and Lord of *Venice*, *Aloysius Contarini* Knight, who for the space of five Years, or thereabouts, with great Diligence, and Spirit intirely impartial, has been inclin'd to be a Mediator in these Affairs. After having implor'd the Assistance, and receiv'd a reciprocal Communication of Powers, Commissions, and full Powers, the Copies of which are inserted at the end of this Treaty, in the presence and with the consent of the Electors of the Sacred Roman Empire, the other Princes and States, to the Glory of God, and the Benefit of the Christian World, the following Articles have been agreed on and consented to, and shall be run thus.

I. THAT there shall be a Christian and Universal Peace, and a perpetual, true, and sincere Peace, between his Sacred Imperial Majesty, and his most Excellent Majesty; as also, between all and each of the Princes and Adherents of his said Imperial Majesty, the King of *Austria*, and its Heirs, and Successors; but chiefly between

between the Electors, Princes, and States of the Empire on the one side; and all and each of the Allies of his said Christian Majesty, and all their Heirs and Successors, chiefly between the most Serene Queen and Kingdom of *Swedeland*, the Electors respectively, the Princes and States of the Empire, on the other part. That this Peace and Amity be observ'd and cultivated with such a Sincerity and Zeal, that each Party shall endeavour to procure the Benefit, Honour and Advantage of the other; that thus on all sides they may see this Peace and Friendship in the *Roman* Empire, and the Kingdom of *France* flourish, by entertaining a good and faithful Neighbourhood.

II. That there shall be on the one side and the other a perpetual Oblivion, Amnesty, or Pardon of all that has been committed since the beginning of these Troubles, in what place, or what manner soever the Hostilitys have been practis'd, in such a manner, that no body, under any pretext whatsoever, shall practise any Acts of Hostility, entertain any Enmity, or cause any Trouble to each other; neither as to Persons, Effects and Securitys, neither of themselves or by others, neither privately nor openly, neither directly nor indirectly, neither under the colour of Right, nor by the way of Deed, either within or without the extent of the Empire, notwithstanding all Covenants made before to the contrary: That they shall not act, or permit to be acted, any wrong or injury to any whatsoever; but that all that has pass'd on the one side, and the other, as well before as during the War, in Words, Writings, and outrageous Actions, in Violences, Hostilitys, Damages and Expences, without any respect to Persons or Things, shall be entirely abolish'd in such a manner, that all that might be demanded of, or pretended to, by each other on that behalf, shall be bury'd in eternal Oblivion.

III. And that a reciprocal Amity between the Emperor, and the Most Christian King, the Electors, Princes and States of the Empire, may be maintain'd so much the more firm and sincere (to say nothing at present of the Article of Security, which will be mention'd hereafter) the one shall never assist the present or future Enemies of the other, under any Title or Pretence whatsoever, either with Arms, Money, Soldiers, or any sort of Ammunition; nor no one, who is a Member of this Pacification, shall suffer any Enemies Troops to retire thro' or sojourn in his Country.

IV. That

IV. That the Circle of *Burgundy* shall be and continue a Member of the Empire, after the Disputes between *France* and *Spain* (comprehended in this Treaty) shall be terminated. That nevertheless, neither the Emperor, nor any of the States of the Empire, shall meddle with the Wars which are now on foot between them. That if for the future any Dispute arises between these two Kingdoms, the abovesaid reciprocal Obligation of not aiding each others Enemys, shall always continue firm between the Empire and the Kingdom of *France*, but yet so as that it shall be free for the States to succour, without the bounds of the Empire, such or such Kingdoms, but still according to the Constitutions of the Empire.

V. That the Controversy touching *Lorain* shall be refer'd to Arbitrators nominated by both sides, or it shall be terminated by a Treaty between *France* and *Spain*, or by some other friendly means; and it shall be free as well for the Emperor, as Electors, Princes and States of the Empire, to aid and advance this Agreement by an amicable Interposition, and other Offices of Pacification, without using the force of Arms.

VI. According to this foundation of reciprocal Amity, and a general Amnesty, all and every one of the Electors of the sacred *Roman* Empire, the Princes and States (therein comprehending the Nobility, which depend immediately on the Empire) their Vassals, Subjects, Citizens, Inhabitants (to whom on the account of the *Bohemian* or *German* Troubles or Alliances, contracted here and there, might have been done by the one Party or the other, any Prejudice or Damage in any manner, or under what pretence soever, as well in their Lordships, their Fiefs, Underfiefs, Allodations, as in their Dignitys, Immunitys, Rights and Privileges) shall be fully re-establish'd on the one side and the other, in the Ecclesiastick or Laick State, which they enjoy'd, or could lawfully enjoy, notwithstanding any Alterations which have been made in the mean time to the contrary.

VII. If the Possessors of Estates, which are to be restor'd, think they have lawful Exceptions, yet it shall not hinder the Restitution; which done, their Reasons and Exceptions may be examin'd before competent Judges, who are to determine the same.

VIII. And tho by the precedent general Rule it may be easily judg'd who those are, and how far the Restitution

extends; nevertheless, it has been thought fit to make a particular mention of the following Cases of Importance, but yet so that those which are not in express Terms nam'd, are not to be taken as if they were excluded or forgot.

IX. Since the Arrest the Emperor has formerly caus'd to be made in the Provincial Assembly, against the moveable Effects of the Prince Elector of *Treves*, which were transported into the Dutchy of *Luxemburg*, tho releas'd and abolish'd, yet at the instance of some has been renew'd; to which has been added a Sequestration, which the said Assembly has made of the Jurisdiction of *Burch*, belonging to the Archbishoprick, and of the Moiety of the Lordship of *St. John*, belonging to *John Reinhard* of *Saeteren*, which is contrary to the Concordats drawn up at *Ausburg* in the year 1548. by the publick interposition of the Empire, between the Elector of *Treves*, and the Dutchy of *Burgundy*: It has been agreed, that the abovesaid Arrest and Sequestration shall be taken away with all speed from the Assembly of *Luxemburg*, that the said Jurisdiction, Lordship, and Electoral and Patrimonial Effects, with the sequestred Revenues, shall be releas'd and restor'd to the Elector; and if by accident some things should be Imbezeld, they shall be fully restor'd to him; the Petitioners being refer'd, for the obtaining a determination of their Rights, to the Judge of the Prince Elector, who is competent in the Empire.

X. As for what concerns the Castles of *Ehenbrestein* and *Hamestein*, the Emperor shall withdraw, or cause the Garisons to be withdrawn in the time and manner limited hereafter in the Article of Execution, and shall restore those Castles to the Elector of *Treves*, and to his Metropolitan Chapter, to be in the Protection of the Empire, and the Electorate; for which end the Captain, and the new Garison which shall be put therein by the Elector, shall also take the Oaths of Fidelity to him and his Chapter.

XI. The Congress of *Munster* and *Osnabrug* having brought the *Palatinate* Cause to that pass, that the Dispute which has lasted for so long time, has been at length terminated; the Terms are these.

XII. In the first place, as to what concerns the House of *Bavaria*, the Electoral Dignity which the Electors *Palatine* have hitherto had, with all their Regales, Offices, Precedencys, Arms and Rights, whatever they be, belonging to this Dignity, without excepting any, as also all the

Upper

Upper Palatinate and the County of *Cham*, shall remain, as for the time past, so also for the future, with all their Appurtenances, Regales and Rights, in the possession of the Lord *Maximilian*, Count *Palatine* of the *Rhine*, Duke of *Bavaria*, and of his Children, and all the *Willielmine* Line, whilst there shall be any Male-Children in being.

XIII. Reciprocally the Elector of *Bavaria* renounces entirely for himself and his Heirs and Successors the Debt of Thirteen Millions, as also all his Pretensions in *Upper Austria*; and shall deliver to his imperial Majesty immediately after the Publication of the Peace, all Acts and Arrests obtain'd for that end, in order to be made void and dull.

XIV. As for what regards the House of *Palatine*, the Emperor and the Empire, for the benefit of the publick Tranquillity, consent, that by virtue of this present Agreement, there be establish'd an eighth Electorate; which the Lord *Charles Lewis*, Count *Palatine* of the *Rhine*, shall enjoy for the future, and his Heirs, and the Descendants of the *Rudolphine* Line, pursuant to the Order of Succession, set forth in the Golden Bull; and that by this Investiture, neither the Lord *Charles Lewis*, nor his Successors shall have any Right to that which has been given with the Electoral Dignity to the Elector of *Bavaria*, and all the Branch of *William*.

XV. Secondly, that all the *Lower Palatinate*, with all and every the Ecclesiastical and Secular Lands, Rights and Appurtenances, which the Electors and Princes *Palatine* enjoy'd before the Troubles of *Bohemia*, shall be fully restor'd to him; as also all the Documents, Registers and Papers belonging thereto; annulling all that hath been done to the contrary. And the Emperor engages, that neither the Catholick King, nor any other who possess any thing thereof, shall any ways oppose this Restitution.

XVI. Forasmuch as that certain Jurisdictions of the *Bergstræet*, belonging antiently to the Elector of *Mayence*, were in the year 1463. mortgag'd to the House *Palatine* for a certain Sum of Money: upon condition of perpetual Redemption, it has been agreed that the same Jurisdictions shall be Restor'd to the present Elector of *Mayence*, and his Successors in the Archbishoprick of *Mayence*, provided the Mortgage be paid in ready Mony, within the time limited by the Peace to be concluded; and that he satisfies the other Conditions, which he is bound to by the Tenor of the Mortgage-Deeds.

XVII. It shall also be free for the Elector of *Treves*, as well in the Quality of Bishop of *Spire* as Bishop of *Worms*, to sue before competent Judges for the Rights he pretends to certain Ecclesiastical Lands, situated in the Territorys of the *Lower Palatinate*, if so be those Princes make not a friendly Agreement among themselves.

XVIII. That if it should happen that the Male Branch of *William* should be intirely extinct, and the *Palatine* Branch still subsist, not only the *Upper Palatinate*, but also the Electoral Dignity of the Dukes of *Bavaria*, shall revert to the said surviving *Palatine*, who in the mean time enjoys the Investiture: but then the eighth Electorate shall be intirely suppress'd. Yet in such case, nevertheless, of the return of the *Upper Palatinate* to the surviving *Palatines*, the Heirs of any *Allodian* Lands of the *Bavarian* Electors shall remain in Possession of the Rights and Benefices, which may lawfully appertain to them.

XIX. That the Family-Contracts made between the Electoral House of *Heidelberg* and that of *Nieuburg*, touching the Succession to the Electorate, confirm'd by former Emperors; as also all the Rights of the *Rudolphine* Branch, forasmuch as they are not contrary to this Disposition, shall be conserv'd and maintain'd entire.

XX. Moreover, if any Fiefs in *Fuliers* shall be found open by lawful Process, the Question shall be decided in favour of the House *Palatine*.

XXI. Further, to ease the Lord *Charles Lewis*, in some measure, of the trouble of providing his Brothers with Appenages, his Imperial Majesty will give order that forty thousand Rixdollars shall be paid to the said Brothers, in the four ensuing Years; the first commencing with the Year 1649. The Payment to be made of ten thousand Rixdollars yearly, with five *per Cent.* Interest.

XXII. Further, that all the *Palatinate* House, with all and each of them, who are, or have in any manner adher'd to it; and above all, the Ministers who have serv'd in this Assembly, or have formerly serv'd this House; as also all those who are banish'd out of the *Palatinate*, shall enjoy the general Amnesty here above promis'd, with the same Rights as those who are comprehended therein, or of whom a more particular and ampler mention has been made in the Article of Grievance.

XXIII. Reciprocally the Lord *Charles Lewis* and his Brothers shall render Obedience, and be faithful to his Imperial

perial Majesty, like the other Electors and Princes of the Empire; and shall renounce their Pretensions to the *Upper Palatinate*, as well for themselves as their Heirs, whilst any Male, and lawful Heir of the Branch of *William* shall continue alive.

XXIV. And upon the mention which has been made, to give a Dowry and a Pension to the Mother Dowager of the said Prince, and to his Sisters; his Sacred Imperial Majesty (according to the Affection he has for the *Palatinate House*) has promis'd to the said Dowager, for her Maintenance and Subsistence, to pay once for all twenty thousand Rixdollars; and to each of the Sisters of the said Lord *Charles Lewis*, when they shall marry, ten thousand Rixdollars, the said Prince *Charles Lewis* being bound to disburse the Overplus.

XXV. That the said Lord *Charles Lewis* shall give no trouble to the Counts of *Leiningen* and of *Daxburg*, nor to their Successors in the *Lower Palatinate*; but he shall let them peaceably enjoy their Rights obtain'd many Ages ago, and confirm'd by the Emperors.

XXVI. That he shall inviolably leave the Free Nobility of the Empire, which are in *Franconia*, *Swabia*, and all along the *Rhine*, and the Districts thereof, in the state they are at present.

XXVII. That the Fiefs confer'd by the Emperor on the Baron *Gerrard* of *Waldenburg*, call'd *Schenck-beeren*, on *Nicholas George Reygersberg*, Chancellor of *Mayence*, and on *Henry Brombsjer*, Baron of *Rudesheim*; Item, on the Elector of *Bavaria*, on Baron *John Adolph Wolff*, call'd *Metternicht*. shall remain firm and stable: That nevertheless these Vassals shall be bound to take an Oath of Fidelity to the Lord *Charles Lewis*, and to his Successors, as their direct Lords, and to demand of him the renewing of their Fiefs.

XXVIII. That those of the Confession of *Ausburg*, and particularly the Inhabitants of *Oppenheim*, shall be put in possession again of their Churches, and Ecclesiastical Estates, as they were in the Year 1624. as also that all others of the said Confession of *Ausburg*, who shall demand it, shall have the free Exercise of their Religion, as well in publick Churches at the appointed Hours, as in private in their own Houses, or in others chosen for this purpose by their Ministers, or by those of their Neighbours, preaching the Word of God.

XXIX. Tha

XXIX. That the Paragraphs, Prince *Lewis Philip*, &c. Prince *Frederick*, &c. and Prince *Leopold Lewis*, &c. be understood as here inserted, after the same manner they are contain'd in the Instrument, or Treaty of the Empire with *Swedeland*.

XXX. That the Dispute depending between the Bishops of *Bamberg* and *Wirtzberg* on the one, and the Marquiss of *Brandenburg*, *Culmbach*, and *Onolzbach*, on the other side, touching the Castle, Town, Jurisdiction, and Monastery of *Kitzingen* in *Franconia*, on the *Main*, shall be amicably compos'd; or, in a judicial manner, within two years time, upon pain of the Person's losing his Pretensions, that shall delay it: and that, in the mean time, the Fort of *Wirtzberg* shall be surrender'd to the said Lords Marquisses, in the same state it was taken, according as it has been agreed and stipulated.

XXXI. That the Agreement made, touching the Entertainment of the Lord *Christian William*, Marquiss of *Brandenburg*, shall be kept as if recited in this place, as it is put down in the fourteenth Article of the Treaty between the Empire and *Swedeland*.

XXXII. The Most Christian King shall restore to the Duke of *Wirtemberg*, after the manner hereafter related, where we shall mention the withdrawing of Garrisons, the Towns and Forts of *Hohenwiel*, *Schorendorff*, *Tubingen*, and all other places, without reserve, where he keeps Garrisons in the Dutchy of *Wirtemberg*. As for the rest, the Paragraph, THE HOUSE OF *WIRTEMBERG*, &c. shall be understood as inserted in this Place, after the same manner it's contain'd in the Treaty of the Empire, and of *Swedeland*.

XXXIII. That the Princes of *Wirtemberg*, of the Branches of *Montbeillard*, shall be re-establish'd in all their Domains in *Alsace*, and wheresoever they be situated, but particularly in the three Fiefs of *Burgundy*, *Cleroval*, and *Passavant*: and both Partys shall re-establish them in the State, Rights and Prerogatives they enjoy'd before the Beginning of these Wars.

XXXIV. That *Frederick*, Marquiss of *Baden*, and of *Hachberg*, and his Sons and Heirs, with all those who have serv'd them in any manner whatsoever, and who serve them still, of what degree they may be, shall enjoy the Amnesty above-mention'd, in the second and third Article, with all its Clauses and Benefices; and by virtue thereof, they

they shall be fully re-establish'd in the State Ecclesiastical or Secular, in the same manner as the Lord *George Frederick* Marquis of *Baden* and of *Hachberg*, possess'd, before the beginning of the Troubles of *Bohemia*, whatever concern'd the lower Marquisate of *Baden*, call'd vulgarly *Baden Durlach*, as also what concern'd the Marquisate of *Hachberg*, and the Lordships of *Ruttelen*, *Badenweiler*, and *Sausenberg*, notwithstanding, and annulling all the Changes made to the contrary. After which shall be restor'd to Marquis *Frederick*, the Jurisdictions of *Stein* and *Renchingen*, without being charg'd with Debts, which the Marquis *William* has contracted during that time, by Reason of the Revenues, Interests and Charges, put down in the Transaction pass'd at *Erlingen* in the Year 1629. and transfer'd to the said *William* Marquis of *Baden*, with all the Rights, Documents, Writings, and other things appertaining; so that all the Plea concerning the Charges and Revenues, as well receiv'd as to receive, with their Damages and Interests, to reckon from the time of the first Possession, shall be intirely taken away and abolish'd.

XXXV. That the Annual Pension of the Lower Marquisate, payable to the Upper Marquisate, according to former Custom, shall by virtue of the present Treaty be intirely taken away and annihilated; and that for the future nothing shall be pretended or demanded on that account, either for the time past or to come.

XXXVI. That for the future, the Precedency and Session, in the States and Circle of *Swabia*, or other General or Particular Assemblys of the Empire, and any others whatsoever, shall be alternative in the two Branches of *Baden*; viz. in that of the Upper, and that of the Lower Marquisate of *Baden*: but nevertheless this Precedency shall remain in the Marquis *Frederick* during his Life. It has been agreed, touching the Barony of *Hohengerolt Zegg* that if Madam, the Princess of *Baden*, verifies the Rights of her Pretension upon the said Barony by authentick Documents, Restitution shall be made her, according to the Rights and Contents of the said Documents, as soon as Sentence shall be pronounc'd. That the Cognizance of this Cause shall be terminated within two Years after the Publication of the Peace: And lastly, no Actions, Transactions, or Exceptions, either general or particular, nor Clauses comprehended in this Treaty of Peace, and whereby they would derogate from the Vigour of this Article, shall
be

be at any time alledg'd by any of the Parties against this special Agreement. The Paragraphs, The Duke of *Croy*, &c. As for the Controversy of *Nassau-Siegen*, &c. To the Counts of *Nassau*, *Sarrepoint*, &c. The House of *Hanau*, &c. *John Albert* Count of *Solms*, &c. as also, Shall be re-establish'd the House of *Solms*, *Hohenfolms*, &c. The Counts of *Hemburg*, &c. The *Rhinegraves*, &c. The Widow of Count *Ernest* of *Sainen*, &c. The Castle and the County of *Flackenstein*, &c. Let also the House of *Waldeck* be re-establish'd, &c. *Joachim Ernest* Count of *Ottingen*, &c. *Item*, The House of *Hohenlo*, &c. *Frederick Lewis*, &c. The Widow and Heirs of the Count of *Brandenstein*, &c. The Baron *Paul Kewenhuller*, &c. shall be understood to be inserted in this place word by word, as they are put down in the Instrument, or Treaty between the Empire and *Swedeland*.

XXXVII. That the Contracts, Exchanges, Transactions, Obligations, Treatys, made by Constraint or Threats, and extorted illegally from States or Subjects (as in particular, those of *Spier*s complain, and those of *Weisenburg* on the *Rhine*, those of *Landau*, *Reitlingen*, *Hailbron*, and others) shall be so annull'd and abolish'd, that no more Enquiry shall be made after them.

XXXVIII. That if Debtors have by force got some Bonds from their Creditors, the same shall be restor'd, but not with prejudice to their Rights.

XXXIX. That the Debts either by Purchase, Sale, Revenues, or by what other name they may be call'd, if they have been violently extorted by one of the Partys in War, and if the Debtors alledge and offer to prove there has been a real Payment, they shall be no more prosecuted, before these Exceptions be first adjust'd. That the Debtors shall be oblig'd to produce their Exceptions within the term of two years after the Publication of the Peace, upon pain of being afterwards condemn'd to perpetual Silence.

XL. That Processes which have been hitherto enter'd on this Account, together with the Transactions and Promises made for the Restitution of Debts, shall be look'd upon as void; and yet the Sums of Money, which during the War have been exacted *bonâ fide*, and with a good intent, by way of Contributions, to prevent greater Evils by the Contributors, are not comprehended herein.

XLI. That Sentences pronounc'd during the War about Matters purely Secular, if the Defect in the Proceedings be
not

manifest, or cannot be immediately demonstrated, to be esteem'd wholly void; but that the Effect suspended until the Acts of Justice (if one of the demand the space of six months after the Publication the Peace, for the reviewing of his Process) be re-nd weigh'd in a proper Court, and according to many or extraordinary Forms us'd in the Empire : and that the former Judgments may be confirm'd, or quite eras'd, in case of Nullity.

. In the like manner, if any Royal, or particular have not been renew'd since the Year 1618. nor Hoid to whom it belongs; the same shall bring none, and the Investiture shall be renew'd the day the shall be concluded.

II. Finally, That all and each of the Officers, as Military Men as Counsellors and Gownmen, and Ecclesiastics of what degree they may be, who have serv'd for or other Party among the Allies, or among their Enemies, let it be in the Gown, or with the Sword, from the highest to the lowest, without any distinction or Exception, with their Wives, Children, Heirs, Successors, and as well concerning their Lives as Estates, shall be preserv'd by all Partys in the State of Life, Honour, Religion, Liberty of Conscience, Rights and Privileges, which they enjoy'd before the abovesaid Disorders; that no Prejudice shall be done to their Effects and Persons, that no Prosecution or Accusation shall be enter'd against them; and further, no Punishment be inflict'd on them, or they suffer any damage under what pretence soever: And all this shall have its full effect in respect to those who are not Vassals or Vassals of his Imperial Majesty, or of the House of Austria.

V. But for those who are Subjects and Hereditary of the Emperor, and of the House of Austria, they shall really have the benefit of the Amnesty, as for Persons, Life, Reputation, Honours: and they may return with Safety to their former Country; but they shall be oblig'd to conform, and submit themselves to the Laws of the Kingdoms, Realms, or particular Provinces they shall belong to.

VII. As to their Estates that have been lost by Conquest or otherways, before they took the part of the King of France, or of Sweden, notwithstanding the Centenaries of Sweden have made long instances, they

they may be also restor'd. Nevertheless his Imperial Majesty being to receive Law from none, and the Imperialists sticking close thereto, it has not been thought convenient by the States of the Empire, that for such a Subject the War should be continu'd: And that thus those who have lost their Effects as aforesaid, cannot recover them to the prejudice of their last Masters and Possessors. But the Estates, which have been taken away by reason of Arms taken for *France* or *Swedeland*, against the Emperor and the House of *Austria*, they shall be restor'd in the State they are found, and that without any Compensation for Profit or Damage.

XLVI. As for the rest, Law and Justice shall be administer'd in *Bohemia*, and in all the other Hereditary Provinces of the Emperor, without any respect; as to the Catholicks, so also to the Subjects, Creditors, Heirs, or private Persons, who shall be of the Confession of *Augsburg*, if they have any Pretensions, and enter or prosecute any Actions to obtain Justice.

XLVII. But from this general Restitution shall be exempted things which cannot be restor'd, as Things movable and moving, Fruits gather'd, Things alienated by the Authority of the Chiefs of the Party, Things destroy'd, ruin'd, and converted to other uses for the publick Security, as publick and particular Buildings, whether sacred or profane, publick or private Gages, which have been, by surprize of the Enemys, pillag'd, confiscated, lawfully sold, or voluntarily bestow'd.

XLVIII. And as to the Affair of the Succession of *Juli-ers*, those concern'd, if a course be not taken about it, may one day cause great Troubles in the Empire about it; it has been agreed, That the Peace being concluded it shall be terminated without any Delay, either by ordinary means before his Imperial Majesty, or by a friendly Composition, or some other lawful ways.

XLIX. And since for the greater Tranquillity of the Empire, in its general Assemblys of Peace, a certain Agreement has been made between the Emperor, Princes and States of the Empire, which has been inserted in the Instrument and Treaty of Peace, concluded with the Plenipotentiarys of the Queen and Crown of *Swedeland*, touching the Differences about Ecclesiastical Lands, and the Liberty of the Exercise of Religion; it has been found expedient to confirm and ratify it by this present Treaty, in the
same

same manner as the abovesaid Agreement has been made with the said Crown of *Sweden*; also with those call'd the *Reformed*, in the same manner, as if the words of the abovesaid Instrument were reported here *verbatim*.

L. Touching the Affair of *Hesse Cassel*, it has been agreed as follows:

In the first place, The House of *Hesse Cassel*, and all its Princes, chiefly *Madam Emelie Elizabeth* Landgravine of *Hesse*, and her Son *Monsieur William* and his Heirs, his Ministers, Officers, Vassals, Subjects, Soldiers, and others who follow his Service in any manner soever, without any Exception, notwithstanding Contracts to the contrary, Processes, Proscriptions, Declarations, Sentences, Executions and Transactions; as also notwithstanding any Actions and Pretensions for Damages and Injuries as well from Neutrals, as from those who were in Arms, annull'd by the General Amnesty here before establish'd, and to take place from the beginning of the War in *Bohemia*, with a full Restitution (except the Vassals, and Hereditary Subjects of his Imperial Majesty, and the House of *Austria*, as is laid down in the Paragraph, *Tandem omnes*, &c.) shall partake of all the Advantages redounding from this Peace, with the same Rights other States enjoy, as is set forth in the Article which commences, *Unanimi*, &c.

LI. In the second place, the House of *Hesse Cassel*, and its Successors, shall retain, and for this purpose shall demand at any time, and when it shall be expir'd, the Investiture of his Imperial Majesty, and shall take the Oath of Fidelity for the Abby of *Hirschfeld*, with all its Dependencys, as well Secular as Ecclesiastical, situated within or without his Territorys (as the Deanery of *Gellingen*) saving nevertheless the Rights possess'd by the House of *Saxony*, time out of mind.

LII. In the third place, the Right of a direct Signiory over the Jurisdictions and Bayliwick of *Schaumburg*, *Buckenburg*, *Saxenhagen*, and *Stattenhagen*, given heretofore and adjudged to the Bishoprick of *Mindau*, shall for the future belong unto *Monsieur William*, the present Landgrave of *Hesse*, and his Successors in full Possession, and for ever, so as that the said Bishop, and no other shall be capable of molesting him; saving nevertheless the Agreement made between *Christian Lewis*, Duke of *Brunswick* and *Lunenbourg*, and the Landgravine of *Hesse*, and *Philip* Count of *Lippe*, as
also

Also the agreement made between the said Landgrave, and the said Duke.

All of us have further agreed, That for the Restitution of Peace, to be effected during the War, and for the Improvement of Religion, the Landgrave of *Hesse*, who is the Tutor, the Duke of the Emperor Thomas Rixdollars shall be given to her and her son, or his Successors Prince or Prince, as he shall think the Advantages of *Moscow* and *Legation* with the Bishopsrics of *Salerno* and *Munster*, and the Duke of *Palat*, which Duke shall be paid at *Cassel* in the term of eight Months, in reckon from the Day of the Ratification of the Peace, in the term and charge of the Emperor, and in Execution had be met to evade this promise, hereafter in any Provisions made here shall any Violence be made if the Duke agree on.

And as to the Duke of *Moscow*, the Landgrave, who is to make the more of the Payment, she shall agree in the Conditions following. *Nays*, *Cassels*, and *Newhaus*, and shall keep Garrisons in those Places which shall depend on her money, but with this Limitation, That within the Officers and their necessary Families in the Garrisons, each of the three above-mention'd Places shall not exceed the number of Twenty Hundred Foot, and a Hundred Horse, as to *Moscow*, the Landgrave, the Disposition of the Garrisons of Horse and Foot she shall be pleas'd to put in each of these Places, and whom she will constitute Garrison.

The Garrisons shall be maintain'd according to the Custom which hath been customarily practis'd, for the maintenance of the *Hessian* Soldiers and Officers; and the necessary for the keeping of the Forts shall be furnished by the Arch-bishopsrics and Bishopsrics, in which the said Garrisons are situated, without any Diminution of the said above-mention'd. It shall be allow'd the Garrisons, to exact the Money of those who shall retard Payment too long, or who shall be refractory; but not any more than what is due: The Rights of Superiority and Jurisdiction, as well Ecclesiastical as Secular, and the Revenues of the said Castles and Towns, shall remain in the Arch-bishop of *Cologne*.

And as soon as after the Ratification of Peace, Three Hundred Thousand Rixdollars shall be paid to *Madam*, the Landgrave, she shall give up *Nays*, and shall only retain *Cassels* and *Newhaus*; but yet so as that the Garrison of *Nays*

Nuys shall not be thrown into the other two Places, nor nothing demanded on that account; and the Garisons of *Cuesfeldt* shall not exceed the Number of Six Hundred Foot and Fifty Horse. That if within the term of nine Months, the whole Sum be not paid to *Madam* the Landgravine, not only *Cuesfeldt* and *Newhaus* shall remain in her Hands till the full Payment, but also for the remainder, she shall be paid Interest at Five *per Cent.* and the Treasurers and Collectors of the Bayliwicks appertaining to the abovesaid Arch-bishopricks, Bishopricks and Abby, bordering on the Principality of *Hesse*, shall oblige themselves by Oath to *Madam* the Landgravine, that out of the annual Revenues, they shall yearly pay the Interest of the remaining Sum notwithstanding the Prohibitions of their Masters. If the Treasurers and Collectors delay the Payment, or alienate the Revenues, *Madam* the Landgravine shall have liberty to constrain them to pay, by all sorts of means, always saving the Right of the Lord Proprietor of the Territory.

LVII. But as soon as *Madam* the Landgravine has receiv'd the full Sum, with all the Interest, she shall surrender the said Places which she retain'd for her Security; the Payments shall cease, and the Treasurers and Collectors, of which mention has been made, shall be freed from their Oath: As for the Bayliwicks, the Revenues of which shall be assign'd for the Payment of the Sums, that shall be adjusted before the Ratification of the Peace; and that Convention shall be of no less Force than this present Treaty of Peace.

LVIII. Besides the Places of Surety, which shall be left, as aforesaid, to *Madam* the Landgravine, which she shall restore after the Payment, she shall restore, after the Ratification of the Peace, all the Provinces and Bishopricks, as also all their Citys, Bayliwicks, Boroughs, Fortresses, Forts; and in one word, all immoveable Goods, and all Rights seiz'd by her during this War. So, nevertheless, that as well in the three Places she shall retain as Cautionary, as the others to be restor'd, the said Lady Landgravine not only shall cause to be convey'd away all the Provisions and Ammunitions of War she has put therein (for as to those she has not sent thither, and what was found there at the taking of them, and are there still, they shall continue;) but also the Fortifications and Rampatts, rais'd during the Possession of the Places, shall be destroy'd and demolish'd

as much as possible, without exposing the 'Towns, Boroughs, Castles and Fortresses, to Invasions and Robberys.

LIX. And tho *Madam* the Landgravine has only demanded Restitution and Reparation of the Arch-bishopricks of *Mayence, Cologne, Paderborn, Munster*, and the Abby of *Fulden*; and has not insisted that any besides should contribute any thing for this Purpose: nevertheless the Assembly have thought fit, according to the Equity and Circumstances of Affairs, that without prejudice to the Contents of the preceding Paragraph, which begins, *Conventum praterea est, &c.* IT HAS BEEN FURTHER AGREED, &c. the other States also on this and the other side the *Rhine*, and who since the first of *March* of this present Year, have paid Contributions to the *Hessians*, shall bear their Proportion *pro Rata* of their preceding Contributions, to make up the said Sum with the Arch-bishopricks, Bishopricks and Abby above-named, and forward the Payments of the Garisons of the Cautionary Towns. If any has suffer'd Damage by the delay of others, who are to pay their share, the Officers or Soldiers of his Imperial Majesty, of the most Christian King, and of the Landgravine of *Hesse*, shall not hinder the forcing of those who have been tardy; and the *Hessian* Soldiers shall not pretend to except any from this Constraint, to the prejudice of this Declaration, but those who have duly paid their Proportion, shall thereby be freed from all Charges.

LX. As to the Differences arisen between the Houses of *Hesse Cassel*, and of *Darmstadt*, touching the Succession of *Marburg*; since they have been adjusted at *Cassel*, the 14th of *April*, the preceding Year, by the mutual Consent of the Interested Partys, it has been thought good, that that Transaction, with all its Clauses, as concluded and sign'd at *Cassel* by both Partys, should be intimated to this Assembly; and that by virtue of this present Treaty, it shall be of the same force, as if inserted word by word: and the same shall never be infring'd by the Partys, nor any other whatsoever, under any pretence, either by Contract, Oath, or otherways, but ought to be most exactly kept by all, tho perhaps some of the Partys concern'd may refuse to confirm it.

LXI. As also the Transaction between the Deceas'd *messieur William*, Landgrave of *Hesse*, and *Messieurs Christian and Wolrad*, Counts of *Waldeck*, made the 11th of *April*

and ratify'd by Monsieur *George*, Landgrave of *Hesse*,
on the 10th of *April* 1648. shall no less obtain a full and per-
fect force by virtue of this Pacification, and shall no less
be observed by the Princes of *Hesse*, and all the Counts of *Wal-*

I. That the Birth-right introduc'd in the House of
Assel, and in that of *Darmstadt*, and confirm'd by
Imperial Majesty, shall continue and be kept firm and
stable.

II. And as His Imperial Majesty, upon Complaints
in the name of the City of *Basle*, and of all *Switzer-*
land in the presence of their Plenipotentiarys deputed to
the present Assembly, touching some Procedures and Exe-
cutions proceeding from the Imperial Chamber against the
City, and the other united *Cantons* of the *Swiss* Coun-
ty, and their Citizens and Subjects having demanded the
restoration of the States of the Empire and their Council; these
by a Decree of the 14th of *May* of the last Year,
restored the said City of *Basle*, and the other *Swiss-Can-*
tons to be as it were in possession of their full Liberty and
Independence of the Empire; so that they are no ways subject
to the Judicatures, or Judgments of the Empire, and it was
not convenient to insert the same in this Treaty of
Peace and confirm it, and thereby to make void and annul
all Procedures and Arrests given on this Account in
former times.

V. And to prevent for the future any Differences
in the Politick State, all and every one of the Elec-
tors and States of the *Roman* Empire, are so esta-
blish'd and confirm'd in their antient Rights, Prerogatives,
Privileges, free exercise of Territorial Right, as
ecclesiastick, as Politick Lordships, Regales, by vir-
tue of this present Transaction: that they never can or
shall be molested therein by any whomsoever upon any
pretence.

VI. They shall enjoy without contradiction, the Right
of Veto in all Deliberations touching the Affairs of the
Empire; but above all, when the Business in hand shall be the
interpretation of Laws, the declaring of Wars,
granting of Taxes, levying or quartering of Soldiers, erect-
ing Fortifications in the Territorys of the States, or
changing the old Garrisons; as also when a Peace or Al-
liance is to be concluded, and treated about, or the like,
if these, or the like things shall be acted for the future,

without the Suffrage and Consent of the Free Assembly of all the States of the Empire: Above all, it shall be free perpetually to each of the States of the Empire, to make Alliances with Strangers for their Preservation and Safety; provided, nevertheless, such Alliances be not against the Emperor, and the Empire, nor against the Publick Peace, and this Treaty, and without prejudice to the Oath by which every one is bound to the Emperor and the Empire.

LXVI. That the Diets of the Empire shall be held within six Months after the Ratification of the Peace; and after that time as often as the Publick Utility, or Necessity requires. That in the first Diet the Defects of precedent Assemblys be chiefly remedy'd; and that then also be treated and settled by common Consent of the States, the Form and Election of the Kings of the *Romans*, by a Form, and certain Imperial Resolution; the Manner and Order which is to be observ'd for declaring one or more States, to be within the Territorys of the Empire, besides the Manner otherways describ'd in the Constitutions of the Empire; that they consider also of re-establishing the Circles, the renewing the Matricular-Book, the re-establishing suppress'd States, the moderating and lessening the Collects of the Empire, Reformation of Justice and Policy, the taxing of Fees in the Chamber of Justice, the Due and requisite instructing of ordinary Deputys for the Advantage of the Publick, the true Office of Directors in the Colleges of the Empire, and such other Business as could not be here expedited.

LXVII. That as well at general as particular Diets, the free Towns, and other States of the Empire, shall have decisive Votes; they shall, without molestation, keep their Regales, Customs, annual Revenues, Libertys, Privileges to confiscate, to raise Taxes, and other Rights, lawfully obtain'd from the Emperor and Empire, or enjoy'd long before these Commotions, with a full Jurisdiction within the inclosure of their Walls, and their Territorys: making void at the same time, annulling and for the future prohibiting all Things, which by Reprisals, Arrests, stopping of Passages, and other prejudicial Acts, either during the War, under what pretext soever they have been done and attempted hitherto by private Authority, or may hereafter without any preceding formality of Right be enterpris'd. As for the rest, all laudable Customs of the sacred *Roman* Empire, the fundamental Constitutions and Laws, shall for the future be
strictly

strictly observ'd; all the Confusions which time of War have, or could introduce, being remov'd and laid aside.

LXVIII. As for the finding out of equitable and expedient Means, whereby the Prosecution of Actions against Debtors, ruin'd by the Calamitys of the War, or charg'd with too great Interests, and whereby these Matters may be terminated with moderation, to obviate greater inconveniences which might arise, and to provide for the publick Tranquillity; His Imperial Majesty shall take care to hearken as well to the Advices of his Privy Council, as of the Imperial Chamber, and the States which are to be assembled, to the end that certain firm and invariable Constitutions may be made about this Matter. And in the meantime the alledg'd Reasons and Circumstances of the Partys shall be well weigh'd in Cases brought before the Sovereign Courts of the Empire, or Subordinate ones of States, and no body shall be oppress'd by immoderate Executions; and all this without prejudice to the Constitution of *Holstein*.

LXIX. And since it much concerns the Publick, that upon the Conclusion of the Peace, Commerce be re-establish'd, for that end it has been agreed, that the Tolls, Customs, as also the Abuses of the Bull of *Brabant*, and the Reprisals and Arrests, which proceeded from thence, together with foreign Certifications, Exactions, Detentions; *Item*, The immoderate Expences and Charges of Posts, and other Obstacles to Commerce and Navigation introduc'd to its Prejudice, contrary to the Publick Benefit here and there, in the Empire on occasion of the War, and of late by a private Authority against its Rights and Privileges, without the Emperor's and Princes of the Empire's consent, shall be fully remov'd; and the antient Security, Jurisdiction and Custom, such as have been long before these Wars in use, shall be re-establish'd and inviolably maintain'd in the Provinces, Ports and Rivers.

LXX. The Rights and Privileges of Territorys, water'd by Rivers or otherways, as Customs granted by the Emperor, with the Consent of the Electors, and among others, to the Count of *Oldenburg* on the *Viserg*, and introduc'd by a long Usage, shall remain in their Vigour and Execution. There shall be a full Liberty of Commerce, a secure Passage by Sea and Land: and after this manner all and every one of the Vassals, Subjects, Inhabitants and Servants of the Allies, on the one side and the other, shall have full power

to go and come, to trade and return back, by Virtue of this present Article, after the same manner as was allowed before the Troubles of *Germany*; the Magistrates, on the one side and on the other, shall be oblig'd to protect and defend them against all sorts of Oppressions, equally with their own Subjects, without prejudice to the other Articles of this Convention, and the particular Laws and Rights of each place. And that the said Peace and Amity between the Emperor and the Most Christian King, may be the more corroborated, and the publick Safety provided for, it has been agreed with the Consent, Advice and Will of the Electors, Princes and States of the Empire, for the Benefit of Peace:

LXXI. First, That the chief Dominion, Right of Sovereignty, and all other Rights upon the Bishopricks of *Metz*, *Toul*, and *Verdun*, and on the Citys of that Name and their Diocesses, particularly on *Mayenwick*, in the same manner they formerly belong'd to the Emperor, shall for the future appertain to the Crown of *France*, and shall be irrevocably incorporated therewith for ever, saving the Right of the Metropolitan, which belongs to the Archbishop of *Treves*.

LXXII. That Monsieur *Francis*, Duke of *Lorain*, shall be restor'd to the possession of the Bishoprick of *Verdun*, as being the lawful Bishop thereof; and shall be left in the peaceable Administration of this Bishoprick and its Abbys (saving the Right of the King and of particular Persons) and shall enjoy his Patrimonial Estates, and his other Rights, wherever they may be situated (and as far as they do not contradict the present Resignation) his Privileges, Revenues and Incomes; having previously taken the Oath of Fidelity to the King, and provided he undertakes nothing against the Good of the State, and the Service of his Majesty.

LXXIII. In the second place, the Emperor and Empire resign and transfer to the most Christian King, and his Successors, the Right of direct Lordship and Sovereignty, and all that has belong'd, or might hitherto belong to him, or the sacred *Roman Empire*, upon *Pignerol*.

LXXIV. In the third place the Emperor, as well in his own behalf, as the behalf of the whole most Serene House of *Austria*, as also of the Empire, resigns all Rights, Pertys, Domains, Possessions and Jurisdictions, which have hitherto belong'd either to him, or the Empire, and the
Family

Family of *Austria*, over the City of *Brisac*, the Landgraveship of *Upper* and *Lower Alsatia*, *Suntgau*, and the Provincial Lordship of ten Imperial Citys situated in *Alsatia*, viz. *Haguenau*, *Calmer*, *Sletstadt*, *Weisemburg*, *Landau*, *Oberenheim*, *Rosheim*, *Munster* in the Valley of *St. Gregory*, *Keyserberg*, *Turingham*, and of all the Villages, or other Rights which depend on the said Mayoralty; all and every of them are made over to the most Christian King, and the Kingdom of *France*; in the same manner as the City of *Brisac*, with the Villages of *Hochstet*, *Niederrimsing*, *Hartem* and *Acharren* appertaining to the Commonalty of *Brisac*, with all the antient Territory and Dependence; without any prejudice, nevertheless, to the Privileges and Libertys granted the said Town formerly by the House of *Austria*.

LXXV. *Item*, The said Landgraveship of the one, and the other *Alsatia*, and *Suntgau*, as also the Provincial Mayoralty on the ten Citys nominated, and their Dependencys.

LXXVI. *Item*, All the Vassals, Subjects, People, Towns, Boroughs, Castles, Houses, Fortresses, Woods, Coppices, Gold or Silver Mines, Minerals, Rivers, Brooks, Pastures; and in a word, all the Rights, Regales and Appurtenances, without any reserve, shall belong to the most Christian King, and shall be for ever incorporated with the Kingdom of *France*, with all manner of Jurisdiction and Sovereignty, without any contradiction from the Emperor, the Empire, House of *Austria*, or any other: so that no Emperor, or any Prince of the House of *Austria*, shall, or ever ought to usurp, nor so much as pretend any Right and Power over the said Countrys, as well on this, as the other side the *Rhine*.

LXXVII. The most Christian King shall, nevertheless, be oblig'd to preserve in all and every one of these Countrys the Catholick Religion, as maintain'd under the Princes of *Austria*, and to abolish all Innovations crept in during the War.

LXXVIII. Fourthly, By the Consent of the Emperor and the whole Empire, the most Christian King and his Successors shall have perpetual Right to keep a Garison in the Castle of *Philipsburg*, but limited to such a number of Soldiers, as may not be capable to give any Umbrage, or just Suspicion to the Neighbourhood; which Garison shall be maintain'd at the Expences of the Crown of *France*. The Passage also shall be open for the King into the Em-

LXXXII. Further it has been agreed, That besides the Ratification promis'd hereafter in the next Diet by the Emperor and the States of the Empire, they shall ratify anew the Alienations of the said Lordships and Rights: inso-much that if it shou'd be agreed in the Imperial Capitulation, or if there shou'd be a Proposal made for the future, in the Diet, to recover the Lands and Rights of the Empire, the above-nam'd things shall not be comprehended therein, as having been legally transfer'd to another's Dominion, with the common Consent of the States, for the benefit of the publick Tranquillity; for which reason it has been found expedient the said Seigniorys shou'd be ras'd out of the Matricular-Book of the Empire.

LXXXIII. Immediately after the Restitution of *Benfeldt*, the Fortifications of that Place shall be ras'd, and of the Fort *Rhinau*, which is hard by, as also of *Tabern* in *Alsatia*, of the Castle of *Hohember* and of *Newburg* on the *Rhine*: and there shall be in none of those Places any Soldiers or Garison.

LXXXIV. The Magistrates and the Inhabitants of the said City of *Tabern* shall keep an exact Neutrality, and the King's Troops shall freely pass thro' there as often as desir'd. No Forts shall be erected on the Banks of this side the *Rhine*, from *Baste* to *Philipsburg*; nor shall any Endeavours be made to divert the Course of the River, neither on the one side or the other.

LXXXV. As for what concerns the Debts wherewith the Chamber of *Ensisheim* is charg'd, the Arch-Duke *Ferdinand Charles* shall undertake with that part of the Province, which the most Christian King shall restore him, to pay one third without distinction, whether they be Bonds, or Mortgages; provided they are in authentick form, and that they have a particular Mortgage, either on the Provinces to be restor'd, or on them which are to be transfer'd; or if there be none, provided they be found on the Books of Accounts, agreeing with those of Receipts of the Chamber of *Ensisheim*, until the Expiration of the year 1632. and have been inserted amongst the Debts of the publick Chamber, and the said Chamber having been oblig'd to pay the Interests: the Arch-Duke making this Payment, shall keep the King exempt from the same.

LXXXVI. And as for those Debts which the Colleges of the States have been charg'd with by the Princes of the House of *Austria*, pursuant to particular Agreements made

in their Provincial Assemblies, or such as the said States have contracted in the name of the Publick, and to which they are liable; a just distribution of the same shall be made between those who are to transfer their Allegiance to the King of *France*, and them that continue under the Obedience of the House of *Austria*, that so either Party may know what proportion of the said Debt he is to pay.

LXXXVII. The most Christian King shall restore to the House of *Austria*, and particularly to the Arch-Duke *Ferdinand Charles*, eldest Son to Arch-Duke *Leopold*, four *Forrest-Towns*, viz. *Rheinfelden*, *Seckingen*, *Lauffenberg* and *Waltshutem*, with all their Territorys and Bayliwicks, Houses, Villages, Mills, Woods, Forests, Vassals, Subjects, and all Appurtenances on this, or the other side the *Rhine*.

LXXXVIII. Item, The County of *Hawenstein*, the *Black Forest*, the *Upper* and *Lower Brisgau*, and the Towns situate therein, appertaining of Antient Right to the House of *Austria*, viz. *Neuburg*, *Friburg*, *Endingen*, *Kenzingen*, *Waldkirch*, *Willingen*, *Brueningen*, with all their Territorys; as also, the Monasterys, Abbys, Prelacys, Deaconrys, Knight-Fees, Commanderships, with all their Bayliwicks, Baronys, Castles, Fortresses, Countys, Barons, Nobles, Vassals, Men, Subjects, Rivers, Brooks, Forests, Woods, and all the Regales, Rights, Jurisdictions, Fiefs and Patronages, and all other things belonging to the Sovereign Right of Territory, and to the Patrimony of the House of *Austria*, in all that Country.

LXXXIX. All *Ortnau*, with the Imperial Citys of *Ofenbourg*, *Gengenbach*, *Cellaham* and *Harmorspach*, so far as the said Lordships depend on that of *Ortnau*, so that no King of *France* can or ought ever to pretend to or usurp any Right or Power over the said Countrys situated on this and the other side the *Rhine*: nevertheless, in such a manner, that by this present Restitution, the Princes of *Austria* shall acquire no new Right; that for the future, the Commerce and Transportation shall be free to the Inhabitants on both sides of the *Rhine*, and the adjacent Provinces. Above all, the Navigation of the *Rhine* shall be free, and none of the Partys shall be permitted to hinder Boats going up or coming down, detain, stop or molest them under any pretence whatsoever, except the Inspection and Search which is usually done to Merchandizes: And it shall not be permitted to impose upon the *Rhine* new and unwonted Tolls, Customs, Taxes, Imposts, and other like Exactions;

is; but the one and the other Party shall be content with the Tributes, Dutys and Tolls that were paid before these Wars, under the Government of the Princes *ad.*

That all the Vassals, Subjects, Citizens and Inhabitants, as well on this as the other side the *Rhine*, who were subject to the House of *Austria*, or who depended entirely on the Empire, or who acknowledg'd for such the other Orders of the Empire, notwithstanding confiscations, Transferrings, Donations made by any Prince or Generals of the *Swedish* Troops, or Consequences the taking of the Province, and ratify'd by the Christian King, or decreed by his own particular Council; immediately after the Publication of Peace, shall be restor'd to the possession of their Goods, immovable and moveable, also to their Farms, Castles, Villages, Lands, Possessions, without any exception upon the account of War and Compensation of Charges, which the modern Princes may alledge, and without Restitution of Moveable Goods and Fruits gather'd in.

As to Confiscations of Things, which consist in Money, Number and Measure, Exactions, Concussions and Tortions made during the War; the reclaiming of such as were fully annull'd and taken away on the one side and the other, in order to avoid Processes and litigious Strifes.

I. That the most Christian King shall be bound to restore not only the Bishops of *Strasburg* and *Basle*, with the County of *Strasburg*, but also the other States or Orders, such as the Counts of *Murbach* and *Luederen*, who are in the one and the other *Alsacia*, immediately depending upon the *Roman* Empire; the Abbess of *Andlau*, the Monastery of *St. George*, in the Valley of *St. George*, the Palatines of *Luxemburg*, the Counts and Barons of *Hanaw*, *Fleckenstein*, *Siegen*, and all the nobility of *Lower Alsacia*; Item, the ten Imperial Cities, which depend on the County of *Hagenau*, in the Liberty and Possession they enjoy'd hitherto, to arise as immediately dependent upon the *Roman* Empire; so that he cannot pretend any Royal Authority over them, but shall rest contented with the same which appertain'd to the House of *Austria*, and by this present Treaty of Pacification, are yielded to the Crown of *France*. In such a manner, nevertheless, by the present Declaration, nothing is intended that shall derogate from the Sovereign Dominion already here agreed to.

XCIII. Likewise the most Christian King, in compensation of the things made over to him, shall pay the said Archduke *Ferdinand Charles* three millions of *French Livres*, in the next following Years 1649, 1650, 1651. on *St. John Baptist's Day*, paying yearly one third of the said Sum at *Basle* in good Money to the Deputys of the said Archduke.

XCIV. Besides the said Sum, the most Christian King shall be oblig'd to take upon him two Thirds of the Debts of the Chamber of *Ensisheim* without distinction, whether by Bill or Mortgage, provided they be in due and authentick Form, and have a special Mortgage either on the Provinces to be transfer'd, or on them to be restor'd; or if there be none, provided they be found on the Books of Accounts agreeing with those of the Receipts of the Chamber of *Ensisheim*, until the end of the Year 1632. the said Sums having been inserted among the Debts of the Community, and the Chamber having been oblig'd to pay the Interests: And the King making this Payment, the Archduke shall be exempted for such a proportion. And that the same may be equitably executed, Commissarys shall be deputed on the one side and the other, immediately after the signing of this present Treaty, who before the Payment of the first Sum, shall agree between them what Debts every one has to pay.

XCV. The most Christian King shall restore to the said Archduke *bona fide*, and without delay, all Papers, Documents of what nature soever, belonging to the Lands which are to be surrender'd to him, even as many as shall be found in the Chancery of the Government and Chamber of *Ensisheim*, or of *Brisac*, or in the Records of Officers, Towns, and Castles possess'd by his Arms.

XCVI. If those Documents be publick, and concern in common and jointly the Lands yielded to the King, the Archduke shall receive authentick Copys of them, at what time and as often as he shall demand them.

XCVII. *Item*, For fear the Differences arisen between the Dukes of *Savoy* and *Mantua* touching *Montferrat*, and terminated by the Emperor *Ferdinand* and *Lewis XIII.* Fathers to their Majestys, shou'd revive some time or other to the damage of Christianity; it has been agreed, That the Treaty of *Cheras* of the 6th of *April* 1631. with the Execution thereof which ensu'd in the *Montferrat*, shall continue firm for ever, with all its Articles: *Pignerol*; and its Appurtenances, being nevertheless excepted, concerning which

which there has been a decision between his most Christian Majesty and the Duke of *Savoy*, and which the King of *France* and his Kingdom have purchas'd by particular Treatys, that shall remain firm and stable, as to what concerns the transferring or resigning of that Place and its Appurtenances. But if the said particular Treatys contain any thing which may trouble the Peace of the Empire, and excite new Commotions in *Italy*, after the present War, which is now on foot in that Province, shall be at an end, they shall be look'd upon as void and of no effect; the said Cession continuing nevertheless unviolable, as also the other Conditions agreed to, as well in favour of the Duke of *Savoy* as the most Christian King: For which reason their Imperial and most Christian Majestys promise reciprocally, that in all other things relating to the said Treaty of *Cheras*, and its Execution, and particularly to *Albe*, *Trin*, their Territorys, and the other places, they never shall contravene them either directly or indirectly, by the way of Right or in Fact; and that they neither shall succour nor countenance the Offender, but rather by their common Authority shall endeavour that none violate them under any pretence whatsoever; considering that the most Christian King has declar'd, That he was highly oblig'd to advance the Execution of the said Treaty, and even to maintain it by Arms; that above all things the said Lord, the Duke of *Savoy*, notwithstanding the Clauses abovemention'd, shall be always maintain'd in the peaceable possession of *Trin* and *Albe*, and other places, which have been allow'd and assign'd him by the said Treaty, and by the Investiture which ensu'd thereon of the Dutchy of *Montferrat*.

XCVIII. And to the end that all Differences be extirpated and rooted out between these same Dukes, his most Christian Majesty shall pay to the said Lord, the Duke of *Mantua*, four hundred ninety four thousand Crowns, which the late King of blessed Memory, *Lewis XIII.* had promis'd to pay to him on the Duke of *Savoy's* Discount; who by this means shall together with his Heirs and Successors be discharg'd from this Obligation, and secur'd from all Demands which might be made upon him of the said Sum, by the Duke of *Mantua*, or his Successors; so that for the future neither the Duke of *Savoy*, nor his Heirs and Successors, shall receive any Vexation or Trouble from the Duke of *Mantua*, his Heirs and Successors, upon this subject, or under this pretence.

XCIX. Who

XCIX. Who hereafter, with the Authority and Consent of their Imperial and most Christian Majestys, by virtue of this solemn Treaty of Peace, shall have no Action for this account against the Duke of *Savoy*, or his Heirs and Successors.

C. His Imperial Majesty, at the modest Request of the Duke of *Savoy*, shall together with the Investiture of the antient Fiefs and States, which the late *Ferdinand II.* of blessed memory granted to the Duke of *Savoy*, *Villa Amadeus*, also grant him the Investiture of the Places, Lordships, States, and all other Rights of *Monferra*, with their Appurtenances, which have been surrender'd to him by virtue of the abovesaid Treaty of *Cheras*, and the Execution thereof which ensu'd; as also, of the Fiefs of *New Monfort*, of *Sine*, *Monchery*, and *Castelles*, with their Appurtenances, according to the Treaty of Acquisition made by the said Duke *Victor Amadeus*, the 13th of *October* 1634. and conformable to the Concessions or Permissions, and Approbation of his Imperial Majesty; with a Confirmation also of all the Privileges which have been hitherto granted to the Dukes of *Savoy*, when and as often as the Duke of *Savoy* shall request and demand it.

CI. *Item*, It has been agreed, That the Duke of *Savoy*, his Heirs and Successors, shall no ways be troubled or call'd to an account by his Imperial Majesty, upon account of the Right of Sovereignty they have over the Fiefs of *Rocheveran*, *Olme*, and *Casoles*, and their Appurtenances, which do not in the least depend on the *Roman Empire*; and that all Donations and Investitures of the said Fiefs being revok'd and annul'd, the Duke shall be maintain'd in his Possession as rightful Lord; and if need be, re-instated: for the same reason his Vassal the Count de *Verrue* shall be re-instated in the same Fiefs of *Olme* and *Casoles*, and in the Possession of the fourth part of *Rocheveran*, and in all his Revenues.

CII. *Item*, It is agreed, That his Imperial Majesty shall restore to the Counts *Clement* and *John* Sons of Count *Charles Cachéran*, and to his Grandsons by his Son *Ottaviano*, the whole Fief of *la Roche d' Arazy*, with its Appurtenances and Dependencys, without any Obstacle whatever.

CIII. The Emperor shall likewise declare, That within the Investiture of the Dutchy of *Mantua* are comprehended the Castles of *Reygioli* and *Luzzara*, with their Territorys and Dependencys, the Possession whereof the Duke
of

shall be oblig'd to render to the Duke of *Mantua* serving to himself nevertheless the Right of Six Towns annual Pension, which he pretends to, for he may sue the Duke before his Imperial Majesty.

As soon as the Treaty of Peace shall be sign'd and by the Plenipotentiarys and Ambassadors, all Hostilities cease, and all Partys shall study immediately to execution what has been agreed to; and that they may be the better and quicker accomplish'd, they shall be solemnly publish'd the day after the signing in the usual form at the Cross of the Citys of *Vienna* and of *Osnabrug*. That when it shall be known that signing has been made in these two Places, divers Commissions shall presently be sent to the Generals of the Armys, to intimate them that the Peace is concluded, and take at the Generals chuse a Day, on which shall be made besides a Cessation of Arms and Hostilities for the signing of the Peace in the Army; and that command be to all and each of the chief Officers Military and to the Governors of Fortresses, to abstain forever from all Acts of Hostility: and if it happen that signing be attempted, or actually innovated after the publication, the same shall be forthwith repair'd, and to its former State.

The Plenipotentiarys on all sides shall agree among themselves, between the Conclusion and the Ratification of Peace, upon the Ways, Time, and Securitys which shall be taken for the Restitution of Places, and for the sending of Troops; so that both Partys may be assur'd, all things agreed to shall be sincerely accomplish'd.

The Emperor above all things shall publish and pro'out the Empire, and strictly enjoin all, who by the Articles of Pacification are oblig'd to restore or do any thing else, to obey it promptly and without tergiversation, between the signing and the ratifying of this Treaty; commanding as well the Directors as the Heads of the Militia of the Circles, to hasten and cause the Restitution to be made to every one, in conformity to those Conventions, when the same are demanded. And cause is to be inserted also in the Edicts, That the Directors of the Circles, or the Governors of the Militia of the Circles, in matters that concern themselves are esteem'd less capable of executing this Affair in the like case; and likewise if the Directors and
Governors

Governors of the Militia of the Circles refuse this Commission, the Directors of the neighbouring Circle, or the Governors of the Militia of the Circles shall exercise the Function, and officiate in the execution of these Restitutions in the other Circles, at the instance of the Partys concern'd.

CVII. If any of those who are to have something restor'd to them, suppose that the Emperor's Commissarys are necessary to be present at the Execution of some Restitution (which is left to their Choice) they shall have them. In which case, that the effect of the things agreed on may be the less hinder'd, it shall be permitted as well to those who restore, as to those to whom Restitution is to be made, to nominate two or three Commissarys immediately after the signing of the Peace, of whom his Imperial Majesty shall chuse two, one of each Religion, and one of each Party, whom he shall injoin to accomplish without delay all that which ought to be done by virtue of this present Treaty. If the Restorers have neglected to nominate Commissioners, his Imperial Majesty shall chuse one or two as he shall think fit (observing, nevertheless, in all cases the difference of Religion, that an equal number be put on each side) from among those whom the Party, to which somewhat is to be restor'd, shall have nominated, to whom he shall commit the Commission of executing it, notwithstanding all Exceptions made to the contrary; and for those who pretend to Restitutions, they are to intimate to the Restorers the Tenour of these Articles immediately after the Conclusion of the Peace.

CVIII. Finally, That all and every one either States, Commonaltys, or private Men, either Ecclesiastical or Secular, who by virtue of this Transaction and its general Articles, or by the expresse and special Disposition of any of them, are oblig'd to restore, transfer, give, do or execute any thing, shall be bound forthwith after the Publication of the Emperor's Edicts, and after Notification given, to restore, transfer, give, do or execute the same, without any Delay or Exception, or evading Clause either general or particular, contain'd in the precedent Amnesty, and without any Exception and Fraud as to what they are oblig'd unto.

CIX. That none, either Officer or Soldier in Garison or any other whatsoever, shall oppose the Execution of the Directors and Governors of the Militia of the Circles or
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Barrys, but they shall rather promote the Execution; said Executors shall be permitted to use Force as much as shall endeavour to obstruct the Execution inanner soever.

Moreover, all Prisoners on the one side and the without any distinction of the Gown or the Sword, releas'd after the manner it has been covenanted, or agreed between the Generals of the Armys, with rial Majesty's Approbation.

The Restitution being made pursuant to the Arti-Amnesty and Grievances, the Prisoners being rell the Soldiery of the Garisons, as well the Empe- l his Allys, as the most Christian King's, and of lgrave of *Hesse*, and their Allys and Adherents, or n they may have been put in, shall be drawn out me time, without any Damage, Exception, or De- the Citys of the Empire, and all other Places e to be restor'd.

That the very Places, Citys, Towns, Boroughs, Castles, Fortresses and Forts which have been and retain'd, as well in the Kingdom of *Bohemia*, r Countrys of the Empire and Hereditary Domi- the House of *Austria*, as in the other Circles of ire, by one or the other Army, or have been sur- by Composition; shall be restor'd without delay former and lawful Possessors and Lords, whether mediately or immediately States of the Empire, Ec- il or Secular, comprehending therein also the free of the Empire: and they shall be left at their own sal, either according to Right and Custom, or accor- ie Force this present Treaty ought to have, notwith- all Donations, Infeoffments, Concessions (except : been made by the free-will of some State) Bonds ming of Prisoners, or to prevent Burnings and Pil- such other like Titles acquir'd to the prejudice of er and lawful Masters and Possessors. Let also all s and Bargains, and all Exceptions contrary to the itution cease, all which are to be esteem'd void; vertheless such things as have been otherwise agreed precedent Articles touching the Satisfaction to be his most Christian Majesty, as also some Concef- equivalent Compensations granted to the Electors tes of the Empire. That neither the Mention of lick King, nor the Quality of the Duke of *Lorain*
I. D given

given to Duke *Charles* in the Treaty between the Emperor and *Swedeland*, and much less the Title of Landgrave of *Alsace*, given to the Emperor, shall be any prejudice to the most Christian King. That also which has been agreed touching the Satisfaction to be made to the *Swedish* Troops, shall have no effect in respect to his Majesty.

CXIII. And that this Restitution of possess'd Places, as well by his Imperial Majesty as the most Christian King, and the Allys and Adherents of the one and the other Party, shall be reciprocally and *bona fide* executed.

CXIV. That the Records, Writings and Documents, and other Moveables, be also restor'd; as likewise the Cannon found at the taking of the Places, and which are still in being. But they shall be allow'd to carry off with them, and cause to be carry'd off, such as have been brought thither from other parts after the taking of the Places, or have been taken in Battels, with all the Carriages of War, and what belongs thereunto.

CXV. That the Inhabitants of each Place shall be oblig'd, when the Soldiers and Garisons draw out, to furnish them without Money the necessary Waggons, Horses, Boats and Provisions, to carry off all things to the appointed Places in the Empire; which Waggons, Horses and Boats, the Governors of the Garisons and the Captains of the withdrawing Soldiers shall restore without any Fraud or Deceit. The Inhabitants of the States shall free and relieve each other of this trouble of carrying the things from one Territory to the other, until they arrive at the appointed Place in the Empire; and the Governors or other Officers shall not be allow'd to bring with him or them the lent Waggons, Horses and Boats, nor any other thing they are accommodated with, out of the limits they belong unto, much less out of those of the Empire.

CXVI. That the Places which have been restor'd, as well Maritime as Frontiers, or in the heart of the Country shall from henceforth and for ever be exempted from all Garisons, introduc'd during the Wars, and left (without prejudice in other things to every one's Right) at the full liberty and disposal of their Masters.

CXVII. That it shall not for the future, or at present, prove to the damage and prejudice of any Town, that has been taken and kept by the one or other Party; but that all and every one of them, with their Citizens and Inhabitants, shall enjoy as well the general Benefit of the Amnesty,

as the rest of this Pacification. And for the Return of their Rights and Privileges, Ecclesiastical and ; which they enjoy'd before these Troubles, they ; maintain'd therein ; save, nevertheless the Rights ; reignty, and what depends thereon, for the Lords ; m they belong.

VIII. Finally, that the Troops and Armys of all those ; e making War in the Empire, shall be disbanded ; charg'd ; only each Party shall send to and keep up ; Men in his own Dominion, as he shall judge neces- ; his Security.

X. The Ambassadors and Plenipotentiarys of the ; or, of the King, and the States of the Empire, pro- ; spectively and the one to the other, to cause the Em- ; the most Christian King, the Electors of the Sacred ; Empire, the Princes and States, to agree and ratify ; ce which has been concluded in this manner, and ; ral Consent ; and so infallibly to order it, that the ; Acts of Ratification be presented at *Munster*, and ; ly and in good form exchange'd in the term of eight ; to reckon from the day of signing.

L. For the greater Firmness of all and every one ; Articles, this present Transaction shall serve for a ; al Law and establish'd Sanction of the Empire, to ; ted like other fundamental Laws and Constitutions ; Empire in the Acts of the next Diet of the Em- ; id the Imperial Capitulation ; binding no less the ; han the present, the Ecclesiasticks than Seculars, ; r they be the States of the Empire or not : inasmuch ; it shall be a prescrib'd Rule, perpetually to be fol- ; as well by the Imperial Counsellors and Officers, as ; f other Lords, and all Judges and Officers of ; of Justice.

II. That it never shall be alledg'd, allow'd, or ad- ; that any Canonical or Civil Law, any general or ; ar Decrees of Councils, any Privileges, any Indul- ; any Edicts, any Commissions, Inhibitions, Man- ; decrees, Rescripts, Suspensions of Law, Judgments ; c'd at any time, Adjudications, Capitulations of ; error, and other Rules and Exceptions of Religious ; past or future Protestations, Contradictions, Ap- ; Investitures, Transactions, Oaths, Renunciations, ; ts, and much less the Edict of 1629. or the ; tion of *Prague*, with its Appendixes, or the Con-

cordats with the Popes, or the Interims of the Year 1548, or any other politick Statutes, or Ecclesiastical Decrees, Dispensations, Absolutions, or any other Exceptions, under what pretence or colour they can be invented; shall take place against this Convention, or any of its Clauses and Articles: neither shall any inhibitory or other Proceffes or Commissions be ever allow'd to the Plaintiff or Defendant.

CXXII. That he who by his Assistance or Counsel shall contravene this Transaction or Publick Peace, or shall oppose its Execution and the abovesaid Restitution, or who shall have endeavour'd, after the Restitution has been lawfully made, and without exceeding the manner agreed on before, without a lawful Cognizance of the Cause, and without the ordinary Course of Justice, to molest those that have been restor'd, whether Ecclesiasticks or Laymen; he shall incur the Punishment of being an Infringer of the publick Peace, and Sentence given against him according to the Constitutions of the Empire, so that the Restitution and Reparation may have its full effect.

CXXIII. That nevertheless the concluded Peace shall remain in force, and all Parties in this Transaction shall be oblig'd to defend and protect all and every Article of this Peace against any one, without distinction of Religion; and if it happens any point shall be violated, the Offended shall before all things exhort the Offender not to come to any Hostility, submitting the Cause to a friendly Composition, or the ordinary Proceedings of Justice.

CXXIV. Nevertheless, if for the space of three years the Difference cannot be terminated by any of those means, all and every one of those concern'd in this Transaction shall be oblig'd to join the injur'd Party, and assist him with Counsel and Force to repel the Injury, being first adverti'd by the injur'd that gentle Means and Justice prevail'd nothing; but without prejudice, nevertheless, to every one's Jurisdiction, and the Administration of Justice conformable to the Laws of each Prince and State: And it shall not be permitted to any State of the Empire to pursue his Right by Force and Arms; but if any difference has happen'd or happens for the future, every one shall try the means of ordinary Justice, and the Contravener shall be regarded as an Infringer of the Peace. That which has been determin'd by Sentence of the Judge, shall be put in execution, without distinction of Condition, as the Laws of the Empire enjoin touching the Execution of Arrests and sentences,

CXXV.

V. And that the publick Peace may be so much the preserv'd intire, the Circles shall be renew'd; and as any Beginnings of Troubles are perceiv'd, that has been concluded in the Constitutions of the Em- touching the Execution and Preservation of the pub- ce, shall be observ'd.

VI. And as often as any would march Troops thro' rs Territorys, this Passage shall be done at the of him whom the Troops belong to, and that with- lening or doing any harm or damage to those whose ys they march thro'. In a word, all that the Impe- stitutions determine and ordain touching the Pre- n of the publick Peace, shall be strictly observ'd.

VII. In this present Treaty of Peace are compre- such, who before the Exchange of the Ratification, ix months after, shall be nominated by general , by the one or the other Party: mean time by a Agreement, the Republick of *Venice* is therein 'd as Mediatrix of this Treaty. It shall also be of idice to the Dukes of *Savoy* and *Modena*, or to ey shall act, or are now acting in *Italy* by Arms most Christian King.

VIII. In Testimony of all and each of these things, their greater Validity, the Ambassadors of their and most Christian Majestys, and the Deputys, me of all the Electors, Princes, and States of the sent particularly for this end (by virtue of what concluded the 13th of *October*, in the Year here- tion'd, and has been deliver'd to the Ambassador the very day of signing under the Seal of the or of *Mentz*) viz. For the Elector of *Mayence*, Nicolas George de *Reigersberg*, Knight and Chan- or the Elector of *Bavaria*, Monsieur *John Adolph* rivy Counsellor; for the Elector of *Brandenburg*, John Count of *Sain* and *Witgenstein*, Lord of and *Vallendar*, Privy Counsellor.

Name of the House of *Austria*, M. *George Verie*, *Wolkenstein*, Counsellor of the Emperor's Court; M. *Gobelius*, Counsellor of the Bishop of *Bamberg*; M. *William Meel*, Privy Counsellor to the Bishop of *Burg*; M. *John Earnest*, Counsellor of the Duke of Court; M. *Wolff Conrad* of *Thumbspahn*, and *Aupzovius*, both Counsellors of the Court of *Saxe-* and *Coburg*; M. *John Fromhold*, Privy Counsellor

of the House of *Brandenburg-Culmbac*, and *Onolzbac*; *M. Henry Laugenbeck*, J. C. to the House of *Brunswick-Lunenbourg*; *James Lampodius*, J. C. Counsellor of State to the Branch of *Calemburg*, and Vice-Chancellor of *Lunenbourg*.

In the Name of the Counts of the Bench of *Wetteraw*, *M. Matthews Wesembecius*, J. C. and Counsellor.

In the Name of the one and the other Bench, *M. Marc Ottoh* of *Strasburg*, *M. John James Wolff* of *Ratisbon*, *M. David Gloxinius* of *Lubeck*, and *M. Lewis Christopher Kres* of *Kressenstein*, all Syndick Senators, Counsellors and Advocates of the Republick of *Noremberg*; who with their proper Hands and Seals have sign'd and seal'd this present Treaty of Peace, and which said Deputys of the several Orders have engag'd to procure the Ratifications of their Superiors in the prefix'd time, and in the manner it has been covenanted, leaving the liberty to the other Plenipotentiarys of States to sign it, if they think it convenient, and send for the Ratifications of their Superiors: And that on condition that by the Subscription of the abovesaid Ambassadors and Deputys, all and every one of the other States who shall abstain from signing and ratifying the present Treaty, shall be no less oblig'd to maintain and observe what is contain'd in this present Treaty of Pacification, than if they had subscrib'd and ratify'd it; and no Protestation or Contradiction of the Council of Direction in the *Roman Empire* shall be valid, or receiv'd in respect to the Subscription the said Deputys have made.

Done, pass'd, and concluded at *Munster* in *Westphalia*,
the 24th Day of *October*, 1648.

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TREATY of P E A C E *between the
Kings of France and Spain, concluded
and sign'd by his Eminency Cardinal
AZARINE, and Don Lewis Mendez
Haro, Plenipotentiarys of their most
Christian and Catholick Majestys, in
the Isle call'd of the Pheasants, in the
River of Bidassoa, upon the Confines of
Pyrenean Mountains, the seventh
November, 1659.*

WIS by the Grace of God King of *France* and
Navarre, to all who shall see the present Letters,
greeting: Whereas, by virtue of the Powers re-
spectively given by Us, and the most High, most
Christian, and most Potent Prince, the Catholick King of
Spain, our most Dear and most Beloved good Brother and
our most dear and most beloved Cousin the Car-
dinal of *Azarine*, and to the Lord Don *Lewis Mendez de
Gusman*; they have in the Isle call'd of the *Phea-*
the River of Bidassoa, upon the Confines of both
Kingdoms, towards the *Pyrenean Mountains*, the se-
venth Instant month of *November*, concluded, agreed
the Treaty of Peace and Reconciliation, the Te-
rmo of is as followeth:

In the Name of God the Creator. To all present and to
come it known, that whereas a long and bloody War
of many years since caus'd great Miserys and Oppressions
in the People, Kingdoms, Countrys, and Do-
mains, under the Obedience of the most High, most Excel-
lent, most Potent Prince *Lewis XIV.* by the Grace of
God Christian King of *France* and *Navarre*, and of
Spain, by the Grace of God Catholick King of *Spain*:

In which War, other Princes and Republicks, their Neighbours and Allys, having also taken part, many Towns and Countrys of both the Partys have been expos'd to great Evils, Miserys, Ruins, and Desolations. And tho at other times, and by severall Ways, divers Overtures and Negotiations for an Accomodation have been made; yet none of them, thro' the mysterious Secrets of the Divine Providence, could take the Effect most earnestly desir'd by their Majestys, till at length that supreme God who hath in his hand the Hearts of Kings, and hath particularly reserv'd to himself alone the precious Gift of Peace, hath had the Goodness thro' his infinite Mercy, to inspire at the same time both the Kings, and so to guide and direct them, that without any other Interposition or Motives, but the only Sense of Compassion they have had of the Sufferings of their good Subjects, and of a fatherly Desire of their Good and Relief, and of the Peace of all Christendom; they have found the means to put an end to so great and long Calamitys, to forget and extinguish the Causes and the Seeds of their Divisions, and to settle to the Glory of God, and the Exaltation of our holy Catholick Faith, a good, sincere, intire, and lasting Peace and Fraternity between them and their Successors, their Allys and Dependants; by means whereof the Damages and Miserys suffer'd might quickly be repair'd in all parts. Which to attain, both the said Lords and Kings having given order to the most eminent Lord *Messire Julas Mazarine*, Cardinal of the holy Roman Church, Duke of *Mayenne*, Head of the most Christian King's Councils, &c. and to that most excellent Lord, the Lord *Don Lewis Mendez de Haro* and *Gusman*, Marquis of *Carpier*, Count Duke of *Olivares*, perpetual Governor of the Royal Palaces, and of the Arsenal or Magazine of the City of *Seville*, great Chancellor perpetual of the *Indies*, one of his Catholick Majesty's Council of State, great Commander of the Order of *Alcantara*, Gentleman of his Majesty's Chamber, and Gentleman of his Horse; these two first and Principal Ministers to meet upon the Confines of both the Kingdoms, towards the *Pyrenean* Mountains, as being the two Persons who are best inform'd of their holy Intentions, of their Interests, and of the most intimate Secrets of their Hearts; and consequently the most able to find out the necessary expedients to end their Differences: And to that end having given unto them most large Powers,

both

both the aforesaid principal Ministers, by virtue of their said Powers, acknowledg'd on both sides to be sufficient, have granted, establish'd, and concluded the following Articles.

I. *FIRST*, It is concluded and agreed, That for the future, there shall be a good, firm and lasting Peace, Confederation, and perpetual Alliance and Amity, between the Most Christian and Catholick Kings, their Children born and to be born, their Childrens Successors and Heirs, their Kingdoms, Dominions, Countrys and Subjects, who shall love one another as good Brethren, procuring with all their power the mutual Good, Honour and Reputation one of the other, and shunning, *bonâ fide*, as much as in them shall lie, the damage one of the other.

II. In consequence of that good Re-union, the Cessation of all manner of Hostility, concluded and sign'd the eight Day of *May* of this present Year, shall continue according to its Tenor, between the said Lords and Kings, their Subjects, Vassals and Adherents, both by Sea and other Waters, and by Land; and generally in all places, where the War hath been hitherto between their Majestys. And if any new thing or ways of Fact should hereafter be attempted by the Arms, or in any manner whatsoever, under the Name or the Authority of either of the said Lords and Kings, to the prejudice of the other, the damages shall be presently repair'd, and things put again in the same state, as they were in upon the eighth Day of *May* aforesaid, when the said Suspension of Arms was agreed on and subscrib'd, the Tenor whereof ought to be observ'd until the Publication of the Peace.

III. And for hindering lest the Differences that might hereafter happen betwixt any Princes or Potentates in Alliance with the said Lords and Kings, be able to alter the good Correspondency and Amity between their Majestys, which every one of them is desirous to make so sure and lasting, that no accident may disturb the same, it hath been concluded and agreed, That in case hereafter any difference should arise betwixt their Allys, which might carry them to an open Breach between themselves, neither of the said Lords and Kings shall assault or disturb by his Arms, the Ally of the other; or shall give any assistance, publick or private, against the said Ally, without first, and before all things, treating in the Court of the other King, by his Ambassador, or some other particular Person, about the occasion

sion of the said Difference; hindring as much as in them shall lie, and by their Authority, the taking up of Arms betwixt their said Allys, until either by the Judgment of both the Kings, if their Allys will yield to their Decision, or by their Interposition and Authority, they might have endeavour'd an amicable composure of the said Difference, so that every one of their Allys be satisfy'd with it, shunning on both sides the taking up of Auxiliary Arms. After which, if the Authority of both the Kings or their Offices and Interposition, cannot produce the Accommodation, and the Allys do at last take the way of Arms, every one of the said Lords and Kings shall be free to assist his Ally with his Forces, without incurring thereby any breach betwixt their Majestys, or any Alteration of their Amity: Each of the two Kings even promising in that case, that he will not suffer that his Arms, nor the Arms of his Ally should enter into any of the Dominions of the other King, there to commit any Hostility; but that the Quarrel shall be ended within the limits of the Dominion or Dominions of the Allys, that shall fight together: so that no warlike Action, or any other done in that Conformity, shall be deem'd a breach of this present Treaty of Peace.

As likewise, whensoever any Prince or State in Alliance with either of the said Lords and Kings, shall be directly or indirectly assaulted by the Forces of the other King, in what he shall hold and be possess'd of at the subscribing of the present Treaty, or what he ought to possess in consequence of it, it shall be lawful to the other King, to help or assist the assaulted Prince or State; and yet whatsoever shall be done in conformity to the present Article, by the Auxiliary Forces, whilst they shall be in the Service of the assaulted Prince or State, shall not be deem'd a breach of the present Treaty. And in case it should happen that either of the two Lords and Kings should be first assaulted in what he now is possess'd of, or ought to possess by virtue of the present Treaty, by any other Prince or State whatsoever, or by many Princes and States in League together, the other King shall not join his Forces to the said assaulting Prince or State, tho otherwise his Ally, nor to the said League of the likewise assaulting Princes or States, as aforesaid; nor shall give to the said Prince and State, or to the said League, any assistance of Men, Money or Victuals; nor Passage or Retreat in his Dominions, to their Persons or Forces.

As for the Kingdoms, Princes and States, that are now in War with either of the said Lords and Kings, and could not be comprehended in the present Treaty of Peace; or that having been comprehended therein, would not accept of it; it hath been concluded and agreed, that the other King shall not have power, after the Publication of the said Treaty, to give them, directly or indirectly, any manner of assistance, of Men, Victuals or Mony; much less to the Subjects that might hereafter rise or revolt against either of the said Lords and Kings.

IV. All occasions of Enmity or Misunderstanding, shall remain extinguish'd and for ever abolish'd; and whatsoever hath been done, or hath happen'd, upon occasion of the present Wars, or during the same, shall be put into perpetual Oblivion: so that for the future, of neither side, neither directly nor indirectly, shall any inquiry be made for the same, by Justice or otherwise, under any pretence whatsoever: nor shall their Majestys, or their Subjects, Servants or Adherents, of either side, shew any manner of remembrance of any Offences or Damages suffer'd during the War.

V. By means of this Peace and strict Amity the Subjects of both sides, whatsoever, shall have liberty, they observing the Laws and Customs of the Country, to go to and fro, to dwell, trade and return into one anothers Country, Merchandising, or as they shall think best both by Land and by Sea, or any other Fresh-waters, to treat and trade together; and the Subjects of the one shall be maintain'd and protected in the others Countrys as their own Subjects, paying reasonably the Dutys in all accustom'd Places, and such others, as by their Majestys and their Successors shall be impos'd.

VI. The Towns, Subjects, Merchants, and Inhabitants of the Kingdoms, Dominions, Provinces, and Countrys belonging to the most Christian King, shall enjoy the same Privileges, Franchises, Libertys and Sureties, in the Kingdom of *Spain*, and other Kingdoms and Dominions belonging to the Catholick King, as the *English* have by Right enjoy'd, by the last Treatys made between the two Crowns of *Spain* and *England*; and no greater Duties or Impositions shall be exacted of the *French* and Other of the Most Christian King's Subjects, either in *Spain*, or any where else, within the Lands, or other places of the Catholick King's Obedience, than have been paid by the *English* be-

fore

fore the Breach, or than are paid at this time by the Inhabitants of the United Provinces of the *Netherlands*, or any other Strangers that shall be there the more favourably intreated. The same shall be done within the whole extent of the Obedience of the said Lord the most Christian King, unto all the Subjects of the said Lord the Catholick King, of what Country or Nation soever they be.

VII. In consequence of this, if the *French*, or any other of his Most Christian Majesty's Subjects, are found in the said Kingdoms of *Spain*, or upon the Coasts thereof, to have ship'd, or caus'd to be ship'd upon their Vessels, in what manner soever it may be, any prohibited Goods, to transport them out of the said Kingdoms, the Penalty shall not extend further than hath been heretofore practis'd in such cases towards the *English*; or then it is at this time practis'd towards the *Hollanders*, in consequence of the Treatys made with *England* or the United Provinces: and all Inquiries or Processes hitherto made about the same, shall remain null, and be extinguish'd. The same shall be observ'd towards the Towns, Subjects and Inhabitants of the Kingdoms and Islands, belonging to the said Lord the Catholick King, who shall enjoy the same Privileges, Franchises and Libertys, throughout all the Dominions of the said Lord the Most Christian King.

VIII. All the *French*, and other Subjects of the said Lord the Most Christian King, shall have liberty freely, and without any hindrance, to transport out of the said Kingdoms and Countrys of the said Lord the Catholick King, the Proceed of the Sale by them made of Corn within the said Kingdoms and Countrys, after the same manner as they us'd to do before the War: And the same shall be observ'd in *France* towards the Subjects of the said Lord the Catholick King.

IX. Of neither side shall the Merchants, Masters of Ships, Pilots or Mariners, nor their Ships, Merchandises, Commodities or other Goods to them belonging, be arrested or seiz'd on, either by virtue of any general or particular Mandate, or for any cause whatsoever of War, or otherwise; nor even under pretence of using them for the Preservation and Defence of the Country: And generally, nothing shall be taken from the Subjects of the said Lords and Kings, within the Lands of the Obedience of the other, but with the consent of those to whom such things shall belong, and paying ready Mony what shall be desired of them.

Yet

Yet it is not understood that therein should be comprehended such Seizures and Arrests of Justice, by the ordinary ways, because of Debts, Obligations, and valid Contracts, of those upon whom such Seizures shall be made; whereunto it shall be proceeded, as it is wonted, according to Right and Reason.

X. All the Subjects of the Most Christian King shall, with all security and liberty, sail and trade in all the Kingdoms, Countrys and Dominions, that are or shall be at Peace, Amity or Neutrality with *France*, (except *Portugal* only with their Conquests and adjacent Countrys, whereof it is otherwise dispos'd by an Article of the present Treaty) and shall not be troubled or molested in that liberty, by the Ships, Gallies, Frigots, Barks, or any other Sea-buildings belonging to the Catholick King, or any of his Subjects, because of the Hostilitys that are or might be hereafter between the said Lord the Catholick King, and the aforesaid Kingdoms, Countrys and Dominions, or any of them, that are or shall be at Peace, Amity or Neutrality with *France*: Provided, that the exception made of *Portugal*, in this and the following Articles, concerning Commerce, shall only be in force, during the time that *Portugal* shall remain in the condition it is at present: And that if it should happen that *Portugal* should be reduc'd under the obedience of his Catholick Majesty, the same should be then observ'd, as to Commerce, in the said Kingdom of *Portugal*, in regard of the *French*, as in other Dominions now possess'd by his said Catholick Majesty, according to the Contents of the present and following Articles.

XI. That Transportation and Traffick shall extend to all kinds of Merchandizes and Commodities, which were us'd freely and securely to be transported into the said Kingdoms, Countries and Dominions, before they were in War with *Spain*: Provided yet, that during the said War, the most Christian King's Subjects shall abstain from carrying thither any Merchandizes of the Growth of the Catholick King's Dominions, such as may be serviceable against him and his Dominions; much less shall they carry thither any Contraband-Goods.

XII. By that kind of Contraband-Goods, are only understood all sorts of Fire-Arms, and all things belonging to them; as Cannons, Muskets, Mortar-pieces, Petards, Bombs, Granadoes, Saucidges, Pitch'd-circles, Carriages, Forks,

Forks, Bandaliers, Gunpowder, Cords, Saltpeter, Bullets, Pikes, Swords, Casks, Head-pieces, Cuirasses, Halberts, Javelins, Horses, Saddles for Horses, Holsters for Pistols, Belts, or any other warlike Furnitures.

XIII. In that kind of Contraband-Goods, shall not be comprehended Wheat, Corn, or other Grains, Pulse, Oils, Wines, Salt, nor generally any thing belonging to the nourishment and sustentation of Life; but they shall remain free, as all other Merchandizes and Commodities, not comprehended in the foregoing Article: And the Transportation of them shall be free, even to Places in enmity with the Crown of *Spain*, except *Portugal*, as aforesaid, and the Towns and Places besieg'd, block'd up, or surrounded.

XIV. For the Execution of the Premises, it hath been agreed, that it shall be done in the manner following, *viz.* That the Ships and Barks, with the Merchandizes belonging to the Subjects of the Lord the most Christian King, being come into any Haven of the Lord the Catholick King, where they us'd to come and trade before the present War, and being willing from thence to pass unto the Ports belonging to the said Enemys, they shall only be bound to shew to the Officers of the *Spanish* Port, or of any other of the said Lord and King's Dominions, from whence they are to go, their Passes, containing the Specification of the lading of their Ships, attested and mark'd with the ordinary Hand and Seal, and acknowledg'd by the Officers of the Admiralty of the Places from whence they came first, with the declaration of the Place for which they are bound; the whole in the ordinary and accustom'd Form. After which exhibiting of their Passes, in the Form aforesaid, they shall not be disturb'd or molested, detain'd nor retarded in their Voyages, under any pretence whatsoever.

XV. The same shall be done, as to the *French* Ships and Barks that shall go into any Roads of the Catholick King's Dominion, where they us'd to trade before the present War, and shall be unwilling to enter into the Harbours, or being entred there, yet will not unlade or break Bulk; who shall not be oblig'd to give any account of their Lading, but only in case of Suspicion, that they are carrying any Contraband-Goods unto the Enemys of the said Lord the Catholick King, as aforesaid.

XVI. And

XVI. And in the said case of apparent Suspicion, the said Subjects of the most Christian King shall be oblig'd to shew in the Ports, their Passes, in the form above-specified.

XVII. But if they be enter'd into the Roads, or be met in open Sea by any of the said Lord the Catholick King's Ships, or by private Men of War of his Subjects; the *Spanish* Ships, to avoid all kind of Disorder, shall not come nearer to the *French* than the reach of the Cannon, and shall have Power to send their Cock-boat or Shallop aboard the said *French* Ships or Barks, and cause two or three of their men only to go into them, to whom the Passes shall be shew'd by the Master or Owner of the *French* Ship, in the manner aforesaid, according to the Form that shall be inserted at the end of this Treaty; whereby might appear, not only their Lading, but also the Place of their Abode and Residence, and the name both of the Master and Owner, and of the Ship itself; that by those two means it may be known whether they carry any prohibited Goods, and that both the quality of the said Ship, and of its Master and Owner, may sufficiently appear; unto which Passes and Sea-Letters full Faith and Credit shall be given. And to the end their validity might be the better known, and that they might not in any wise be falsify'd and counterfeited, there shall be given in certain Marks and Subscriptions of both the said Lords and Kings.

XVIII. And in case there be found in the said *French* Vessels and Barks, by the means aforesaid, any Merchandizes and Commodities, before declar'd to be prohibited and contraband, the same shall be unladen, denounc'd and confiscated before the Judges of the Admiralty of *Spain*; or any other competent Judges: yet for all that, neither the Ship and Bark, nor any other of the lawful and permitted Goods, Merchandizes and Commodities found therein, shall in any wise be seiz'd on or confiscated.

XIX. It hath further been agreed and concluded, that whatsoever shall be found to have been laden by the Subjects of his most Christian Majesty, aboard any Ships belonging to the Enemies of the said Lord and Catholick King, altho not contraband Goods, shall be confiscated, together with all that shall be found in the said Ship, without any exception or reservation: But on the other side, whatsoever shall be found in the Ships belonging to the Subjects of the most Christian King, shall be free and freed,

altho the lading, or part thereof, shou'd belong to the Enemy's of the said Lord the Catholick King, except the prohibited Goods ; in regard whereof they shall carry themselves according to what hath been dispos'd in the foregoing Articles.

XX. All the Subjects of the said Lord the Catholick King, shall mutually enjoy the same Rights, Libertys and Immunities in their Trade and Commerce, within the Ports, Roads, Seas and Dominions of his most Christian Majesty. And what hath been abovesaid, that the Subjects of the said Lord the most Christian King, shall enjoy in his Catholick Majesty's Ports, or in open Sea, ought to be understood, that the equality shall be mutual, in all manner, on both sides, even in case hereafter the said Lord the Catholick King shou'd happen to be at Peace, Amity and Neutrality with any Kings, Princes and States, that shou'd become the Enemy's of the said Lord the most Christian King ; each of both the Partys being mutually to use the same Conditions and Restrictions express'd in the Articles of the present Treaty, concerning the Trade and Commerce.

XXI. In case on either side there happens any contravention to the said Articles touching Commerce, by the Officers of the Admiralty of either of the two Lords and Kings, or any other Person whatsoever, the Complaint thereof being address'd by the interested Partys unto their Majestys themselves, or their Councils for the Navy, their said Majestys shall presently cause the damage to be repair'd, and all things to be executed in the manner aforesaid. And in case, in progress of time, any Frauds or Inconveniences shou'd be discover'd touching the said Commerce and Navigation, not sufficiently provided against by the aforesaid Articles, new ones shall be added thereto of such other Precautions as shall be thought convenient on both Parts: The present Treaty remaining yet, in the mean while, in its force and vigor.

XXII. All Goods and Merchandizes arrested in either of the Kingdoms, upon the Subjects of the said Lords and Kings, at the time of the Declaration of War, shall be uprightly, and *bonâ fide* restor'd to the Owners ; in case they be found *in esse*, at the day of the publication of the present Treaty. And all Debts contracted before the War, which upon the said day of the Publication of the present Treaty, shall be found not to have been actually paid

to others by virtue of Judgments given upon Letters of Confiscation or Reprisal, shall be *bonâ fide* acquitted and paid: And upon the Demands and Pursuits that shall be made about them, the said Lords and Kings shall give order unto their Officers to render as good and speedy Justice to Foreigners, as to their own Subjects, without any distinction of Persons.

XXIII. The Actions that have been heretofore, or shall hereafter be intented before the Officers of the said Lords and Kings for Prizes, Spoils and Reprisals, against such as are not Subjects to the Prince, in whose Jurisdiction the said Actions shall have been intented or begun, shall, without any difficulty, be return'd before the Officers of the Prince, whose Subjects the Defendants shall be.

XXIV. And the better to secure, for the future, the Commerce and Amity between the Subjects of the said Lords and Kings, for the greater advantage and commodity of their Kingdoms, it hath been concluded and agreed, That there happening hereafter any Breach between the two Crowns (which God forbid) six months time shall always be given to the Subjects on both sides, to retire and transport their Persons and Goods where they shall please: Which they shall be permitted to do, with all liberty, without any hindrance; and during that time, there shall be no seizure made of their said Goods, much less their Persons arrested.

XXV. The Inhabitants and Subjects of either side shall, every where within the Lands of the Obedience of the said Lords and Kings, make use of such Advocates, Proctors, Notarys, and Solicitors, as they shall please; whereunto also they shall be committed by the ordinary Judges, when need shall be, and when the said Judges shall be desired so to do. And it shall be lawful to the said Subjects and Inhabitants of both sides, to keep in the Places of their Abode, the Books of their Trade and Correspondence, in such a Language as they shall like best, either *French*, *Spanish*, *Flemish*, or any other, without falling thereby into any molestation or trouble.

XXVI. The said Lords and Kings shall have power, for the commodity of their Subjects trading in one another's Kingdoms and Dominions, to settle some Consuls of the same Nation of their said Subjects, who shall enjoy the Rights, Libertys, and Immunitys belonging to their Exercise and Employment; and that the establishment shall be

made a free Place, where with mutual Consent, it shall be enjoyed forever.

XXV. All Letters of Grant and Remission that any King, Prince, or other Christian Prince, or any other Prince, shall be independent, and to which he or another hereafter or either of them shall be bound, touching the privilege of the Subject of the other, shall be null and void, manifest denial of Justice, and a violation of the Innocent words about the same, from which he or she and his or her Heirs, shall be bound to be exempted, according to the Form and manner contained in the Law.

XXVI. All the Benefices of both Kingdoms, both Ecclesiastical and Secular, shall be rather for their Goods, Honours and Dignities, and for the enjoyment of their Benefices than for any other use before the War, as they by Dean, or Bishop, or other Prelate, or by any of Ecclesiastical, or other Christian Princes, Princes, or Princes, both Goods, Honours and Dignities, shall be independent to be comprehended as the Benefices of the said Kingdoms, the Catholic King, Emperor, or the Emperor, Officers and Governments shall be independent of, and to him shall be lawful for either to refuse to give, or to hinder the taking of possession, or any of this, who have been invested with Prelate, Bishop, or Ecclesiastical Dignities before the War, and to make this their business, and to demand any or all of the said Benefices, during the War, unless it be for the service of the Kingdom, provided, who shall remain in the enjoyment of their Possessions. But the one and the other shall be able to be restored to the enjoyment of all and every one of their Goods, Immovables, and Rents, either perpetual, or during Life, or to be redeem'd, seiz'd on, or taken from them since that time, either upon the occasion of the War, or for following the contrary part; together with all their Rights, Actions and Successions to them accruing even since the beginning of the War: yet so, that they shall not demand or pretend any Fruits or Revenues receiv'd since the Seizures made of the said Goods, Immovables, Rents and Benefices, until the Day of the publication of the present Treaty.

XXVII. Nor likewise make any demand of such Debts, Good, and Movables, as have been confiscated before the said Day: so that the Creditors of the said Debts, nor the Depositorys of such Goods, nor their Heirs or Assigns, shall ever be admitted to prosecute or pretend the recovery

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Which Re-establishments, in the aforesaid form, tend to those who have follow'd the contrary part; by means of the present Treaty, they shall be restor'd to their King and Sovereign Prince's Grace, as also their Goods, such as shall be found extant upon the confiscation and subscribing of the present Treaty.

And the said Re-establishment of the said Subjects' Estates, shall be made according to the tenor of the Article beforegoing, notwithstanding any Donations, Concessions, Declarations, Confiscations committed, preparatory or definitive, given by contumacious Sentence of the Partys and without hearing of them: Sentences and all Judgments shall be void and of no effect, and as not given or happen'd, with full liberty to the said Partys to return into the Countrys whither they had formerly retir'd themselves, to enjoy in their Goods, Unmovables, Rents and Revenues, the same as they had before, in such manner as they shall think best, it remaining in their Choice; so that, in that respect, no manner of complaint shall be us'd against them. And in case they rather inhabit elsewhere, they shall have Power to depute such Persons, not suspected, as they shall think fit, to receive the Government and enjoying of their Goods, Rents and Revenues, but not of such Benefices as require a personal residence, which ought personally to be administer'd and enjoy'd. Yet so, that the Liberty of a personal sojourning abroad in this Article, shall not extend itself to those, in whom it is otherwise dispos'd by any other Article of the present Treaty.

II. Such as shall have been provided on either side Benefices, being of the Collation, Presentation, or any disposition of the said Lord and King, or any other, Ecclesiastical or Lay-Persons, or such as shall have been provided by Provisions from the Pope, of any other Benefices, within the Obedience of either of the said Lords, shall, by whose consent and permission they shall have been enjoy'd the same during the War, shall remain in the same possession and enjoyment of the said Benefices during their continuance, being well and duly provided: Yet so, that there shall be no prejudice intended for the future to the right of the said Collators, who shall enjoy and use the same, as they have wonted to do before the War.

XXXII. All Prelates, Abbots, Priors, and other Ecclesiastical Persons, that have been nominated to their Benefices, or promoted to the same by the said Lords and Kings, before the War, ordering the same, and whereunto their Majestys were in possession to provide and nominate, before the Breach between the two Crowns, shall be maintain'd in the Possession and Enjoyment of the said Benefices, and shall not be molested therein for any cause or pretence whatsoever; as also in the free enjoyment of all the Goods that shall be found to have belong'd to the same of old, and in the right of conferring the Benefices depending of the same, in what place soever the said Goods and Benefices be found situate: Provided yet that the said Benefices be fill'd with able Persons, having the requisite Qualifications, according to the Reglements observ'd before the War. And for the future it shall not be lawful, of either side, to send any Administrators to govern the said Benefices, and enjoy the fruits thereof, which shall not be receiv'd but by the Titulars only, lawfully provided unto the same. As also all Places that have formerly acknowledg'd the Jurisdiction of the said Prelates, Abbots and Priors, in what part soever they be situate, shall likewise acknowledge the same for the future; provided their Right appears to have been settled of old, altho the said Places shou'd be found within the extent of the Dominions of the contrary Party, or depending of some Chastellanys or Bayliwicks belonging to the contrary Party.

XXXIII. And to the end this Peace and Union, Consideration and good Correspondency might, as it is desir'd, be so much the more firm, lasting and undissolvable, both the said Principal Ministers, the Cardinal Duke, and the Marquis Earl Duke, by virtue of the special Power they have had for that end of the two Lords and Kings, have concluded and agreed, in their names, the Marriage of the most Christian King with the most Serene Infanta the Lady *Maria Theresa*, eldest Daughter to the Catholick King; and the same day, bearing the date of these Presents, have made and subscrib'd a particular Treaty, whereunto they refer themselves, touching the mutual conditions of the said Marriage, and the time of its Celebration: Which Treaty by itself, and Capitulation of Marriage, are the same force and vigour with the present Treaty of Peace as being the chiefest Part thereof, and the most worthy, well as the greatest and the most precious earnest of the surety of its duration.

XXXIV. Because the length of time, and the difficultys that would have met in case the several Rights and Pretensions of the said Lords and Kings shou'd have been put to a particular discussion, might have much retarded the conclusion of this Treaty, and put off the Good that all *Christendom* doth expect, and will receive by it; it hath been concluded and agreed, in consideration of the Peace, touching the retention and restitution of the Conquests made during the present War, that all the differences of the said Lords and Kings shall be ended and compos'd after the manner following.

XXXV. *Imprimis*, It hath been concluded and agreed, concerning the *Low Countrys*, that the Lord the most Christian King shall remain seiz'd, and shall effectually enjoy the Places, Towns, Countrys and Castles, Dominions, Lands, and Lordships following.

First, Within the County of *Artois*, the Town and City of *Arras*, and the Government and Bayliwick thereof; *Hesdin*, and the Bayliwick thereof; *Bapaume*, and the Bayliwick thereof; *Bethune*, and the Government or Bayliwick thereof; *Lillers*, and the Bayliwick thereof; *Lens*, and the Bayliwick thereof; the County of *St. Pol*; *Tervuane*, and the Bayliwick thereof; *de Pas*, and the Bayliwick thereof; as also all the other Bayliwicks and Chastellanys of the said *Artois*, whatsoever they be, altho not here particularly nam'd and mention'd, except only the Towns, Bayliwicks and Chastellanys or Governments of *Ayre* and *St. Omer*, with their Appurtenances, Dependences and Annexes, which shall all remain to his Catholick Majesty; as also the place of *Renty*, in case it be found to be of the said Dependences of *Ayre*, or *St. Omer*, and not otherwise.

XXXVI. *Secondly*, Within the Province and County of *Flanders*, the said Lord the most Christian King shall remain seiz'd, and shall effectually enjoy the Places of *Graveling*, the Forts *Philip*, of the *Sluce*, and *Hannuin Bourburg*, and the Chastellany thereof; and *St. Venant*, whether it belongs to *Flanders* or to *Artois*, and their Dominions, Appurtenances, Dependences and Annexes.

XXXVII. *Thirdly*, Within the Province and County of *Hainault*, the said Lord the most Christian King shall remain seiz'd, and shall effectually enjoy the Places of *Lan-drecy* and *Quesnoy*, and their Bayliwicks, Provostships, or Chastellanys, Dominions, Appurtenances and Dependences.

XXXVIII. *Fourthly*, Within the Province and Dutchy of *Luxemburg*, the said Lord the most Christian King shall remain seiz'd, and shall effectually enjoy the Places of *Taionville*, *Montmedy* and *Damvilliers*, their Appurtenances, Dependences and Annexes, Provostships and Lordships, the Provostship of *Ivay*, *Chavancy*, *Chasteau* and the Provostship thereof; and the Place and Post of *Marville*: situate upon the small River call'd *Vezin*, and the Provostship of the said *Marville*: which Place and Provostship did formerly belong, partly unto the Duke of *Luxemburg*, and partly unto the Dukes of *Bar*.

XXXIX. *Fifthly*, His most Christian Majesty having strongly declared that he could never consent to the restitution of the Places of *la Bassee*, and *Bergh St. Wynox*, Chastellany of the said *Bergh*, and the Royal Fort erected upon the Channel hard by the Town of *Bergh*; and his Catholick Majesty having condescended that they should remain to the *French*, unless an exchange of the said Places, with others of the like Consideration and mutual Conveniences could be agreed upon; both the said Lords Plenipotentiarys have at last agreed, that the said two Places of *la Bassee* and *Bergh St. Wynox*, the Chastellany and Royal Fort of the said *Bergh*, should be exchange'd with the Places of *Marienburg* and *Philippeville*, situate on the Rivers *Sambre* and *Auze*, their Appurtenances, Dependences, Annexes and Dominions. And therefore his said most Christian Majesty restoring, as it will be said hereafter, to his Catholick Majesty the said Places of *la Bassee*, *Bergh St. Wynox*, and the Chastellany thereof, and the Royal Fort, with their Appurtenances, Dependences, Annexes and Dominions, his Catholick Majesty shall at the same time put into the hands of his most Christian Majesty the said Places of *Marienburg* and *Philippeville*; his said most Christian Majesty to remain seiz'd of them, and effectually to enjoy them, and their Appurtenances, Dependences, Annexes and Dominions, in the same manner, and with the same rights of Possession, Sovereignty, and others which his Majesty shall enjoy or may enjoy, by the present Treaty, in such Places as have been gain'd by his Arms during the War, and which are to remain unto him by this Peace. And even in case hereafter his most Christian Majesty should happen to be troubled in the Possession and Enjoyment of the said Places of *Marienburg* and *Philippeville*, by reason of the Pretensions of other Princes, his Catholick Majesty doth

bind himself to concur to their defence, and to do on his part whatsoever shall be necessary, that his most Christian Majesty might peaceably and without dispute enjoy the said Places, in consideration that his Majesty hath yielded in exchange the said *la Bassée* and *Bergh St. Wynox*, which his most Christian Majesty might have kept and possess'd without trouble, and with all security.

XL. *Sixthly*, His Catholick Majesty, for certain Considerations hereafter particularly express'd in another Article of the present Treaty, doth promise and oblige himself to put into the hands of his most Christian Majesty the Town and Place of *Avennes*, situate between the *Sambre* and the *Maze*, with the Appurtenances, Dependences, Annexes and Dominions thereof, with all the Artillery and warlike Ammunitions that are now therein, to remain to his said Most Christian Majesty seiz'd of the said Place of *Avennes*, and effectually to enjoy the same, and the said Appurtenances, Dependences, Annexes and Dominions, after the same manner, and with the same right of Possession, Sovereignty and other things, which his Catholick Majesty doth now enjoy there. And because it hath been reported, that within the said Place of *Avennes*, and the Appurtenances, Dependences, Annexes and Dominions thereof, the ordinary Jurisdiction, the Rents and other Profits do belong to the Prince of *Chimay*, it hath been declar'd and agreed between the said Lords and Kings, that whatsoever is contain'd within the Walls and Fortifications of the said Place, shall remain to his most Christian Majesty; so that the said Prince shall have no kind of Right, Rent or Jurisdiction, within the said Walls, and Fortifications; it being only reserv'd to him to keep whatsoever in time past did belong to him out of the said Place, in the Villages, Countrys and Forests of the said Dependence of *Avennes*, in the same manner as he hath hitherto possess'd the same: provided also, as hath been said before, that the Sovereignty and the high Dominion of the said Villages, Countrys and Forests of the said Dependence of *Avennes*, shall belong and remain to his Most Christian Majesty; the said Lord the Catholick King having taken upon himself to indemnify the said Prince of *Chimay* for the Interest he may have in what is taken from him by the present Treaty within the Precincts of the said Place, as aforesaid.

XLI. The said Places of *Arras*, *Hesdin*, *Bapaume*, *Be-thune*, and the Towns of *Lillers*, *Lens*, County of *St. Pol*,

Teredane, Pas, and their Bayliwicks; as also all the other Bayliwicks and Chaffellanys of *Artois* (except only as aforesaid the Towns and Bayliwicks of *Ayre* and *St. Omer*, their Appurtenances, Dependences, Annexes and Dominions) as also *Renty*, in case it be not found to be any of the Dependences of *Ayre* or of *St. Omer*; together with the places of *Graveling*, and the Forts *Philip*, the *Sluice* and *Hannuin*, *Bourburg* and *St. Venant*, in *Flanders*; the Places of *Landrecy* and *Quesnoy*, in the *Haynault*; as also those of *Avennes*, *Marienburg* and *Philippeville*, which are to be put into the hands of the most Christian King, as aforesaid: And likewise the Places of *Thionville*, *Montmedy*, and *Damvilliers*, the Town and Provostship of *Ivoy*, *Chavency*, *Chasteau* and the Provostship thereof, and *Marville* in *Luxemburg*, their Bayliwicks, Chaffellanys, Governments, Provostships, Territorys, Dominions, Lordships, Appurtenances, Dependences and Annexes shall remain, by the present Treaty of Peace, unto the said Lord the most Christian King, and to his Successors and Assigns, irrevocably and for ever; and with the same rights of Sovereignty, Propriety, Regality, Patronage, Wardianship, Jurisdiction, Nomination, Prerogatives and Preeminences upon the Bishopricks, Cathedral Churches, and other Abbys, Priors, Dignitys, Parsonages, or any other Benefices whatsoever, being within the limits of the said Countrys, Places and Bayliwicks so yielded, of whatsoever Abbys the said Priors may hold and depend, and all other Rights formerly belonging to the said Lord the Catholick King, tho not particularly related here. And his most Christian Majesty shall never hereafter be troubled nor molested by any way whatsoever, either of Right or of Fact, by the said Lord the Catholick King, his Successors, or any Prince of his House, or any other whatsoever, under any pretence or occasion that may happen in the said Sovereignty, Propriety, Jurisdiction, Prerogative, Possession and Enjoyment of all the said Countrys, Towns, Places, Castles, Lands, Lordships, Provostships, Dominions, Chaffellanys and Bayliwicks, and of all the Places and other things depending of them. And for that effect, the said Lord the Catholick King, for himself and for his Heirs, Successors and Assigns, doth renounce unto, quit, yield and transfer, as his Plenipotentiary in his Name by the present irrevocable Treaty of Peace, hath renounced to, quitted, yielded and for ever transfer'd, in the behalf and to the benefit of the said Lord the most Christian

Christian King, his Heirs, Successors and Assigns, all the Rights, Actions, Pretensions, Regalities, Patronage, Wardianship, Jurisdiction, Nomination, Prerogatives and Pre-eminences upon the said Bishopricks, Cathedral Churches, and other Abbys, Priorys, Dignitys, Parsonages, and any other Benefices whatsoever within the Precincts of the said Countrys, Places and Bayliwicks so yielded, of what Abbys soever the said Priorys do hold or depend: And generally, without retaining or reserving any thing, all other Rights which the said Lord the Catholick King, or his Heirs and Successors have and pretend, or may have and pretend for what cause and occasion soever, upon the said Countrys, Places, Castles, Forts, Lands, Lordships, Dominions, Chastellanys and Bayliwicks, and upon all the Places depending of them as aforesaid: Which, together with all the Men, Vassals, Subjects, Boroughs, Villages, Hamlets, Forests, Lands, and other things whatsoever depending of them, without keeping or reserving any thing, the said Lord the Catholick King, both for himself and for his Successors, doth consent to be from this time forth and for ever united and incorporated to the Crown of *France*; all Laws, Customs, Statutes and Constitutions made to the contrary, even such as may have been confirmed by Oath, in any wise notwithstanding. To which, and to all Clauses derogatory to former derogatory Clauses, it is expressly derogated by the present Treaty, for the effect of the said Renunciations and Cessions; which shall be valid and shall take place, the particular Expression or Specification not derogating to the general, nor the general to the particular, and excluding for ever all Exceptions, upon what right, title, cause or pretence soever they may be grounded. And the said Lord the Catholick King doth declare, consent, will and understand, that the Men, Vassals and Subjects of the said Countrys, Towns and Lands yielded to the Crown of *France* as aforesaid, be and remain quitted and absolv'd from henceforth and for ever of the faith, homage, service and oath of Fidelity, they, all, or any of them may have done to him, or to his Predecessors the Catholick Kings; and withal of all obedience, subjection and vassalage which they for that cause might owe unto him: The said Lord the Catholick King, willing that the said faith and homage, and oath of Fidelity become and remain void and of none effect, as if they had never been taken.

XLII. And as concerning the Countrys and Places taken by the Arms of *France*, during this War towards *Spain*; as it had been formerly agreed by the Negotiation begun in *Madrid*, in the Year 1656. upon which this present Treaty is grounded, that the *Pyrenean* Mountain, which antiently had divided the *Gauls* from *Spain*, should also make henceforth the division of both the said Kingdoms: It hath been concluded and agreed, that the Lord the Most Christian King shall remain in possession, and shall effectually enjoy the whole County and Viquery of *Roussillon*, and the County and Viquery of *Conflans*, the Countrys, Towns, Places, Castles, Boroughs, Villages and Places, which make up the said Counties and Viqueries of *Roussillon* and *Conflans*: And to the Lord the Catholick King, shall remain the County and Viquery of *Cerdana*, and the whole Principality of *Catalonia*, with the Viquerys, Places, Towns, Castles, Boroughs, Hamlets, Places and Countrys, that make up the said County of *Cerdana*, and the Principality of *Catalonia*. Provided, that if there be found any Place of the County and Viquery of *Conflans* only, and not of *Roussillon*, that be in the said *Pyrenean* Mountains towards *Spain*, it shall likewise remain to his Catholick Majesty: As likewise, if any Place be found of the said County and Viquery of *Cerdana* only, and not of *Catalonia*, that be in the said *Pyrenean* Mountains towards *France*, it shall remain to his Most Christian Majesty. And that the said Division might be concluded, Commissioners shall be presently appointed on both sides, who shall together, *bonâ fide*, declare which are the *Pyrenean* Mountains, which according to the tenor of this Article, ought hereafter to divide both Kingdoms, and shall mark the limits they ought to have: And the said Commissioners shall meet upon the place at the furthest a Month after the subscribing of the present Treaty, and within the space of another Month after, shall conclude the matter, and declare, with common consent, the Premises. Provided, that if then they cannot agree among themselves concerning it, they shall presently send the Grounds of their Opinions to the two Plenipotentiaries of both the Lords and Kings; who taking notice of the Difficultys and Differences happen'd thereupon, shall conclude the Business betwixt them, so that it shall not be suffer'd that Arms be taken up again about the same.

XLIII. The whole County and Viquery of *Roussillon*, County and Viquery of *Conflans*, except the Places that shall

shall be found to be situate in the *Pyrenean Mountains* towards *Spain*, in the manner aforesaid, according to the Declaration and Agreement of the Commissioners that are to be appointed for that purpose; as also that part of the County of *Cerdana*, that shall be found situate in the *Pyrenean Mountains* towards *France*, according to the same Declaration of the Commissioners; the Countrys, Towns, Places, Castles, that make up the Viquerys of *Roussillon* and *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, Appurtenances, Dependences and Annexes, with all the Men, Vassals, Subjects, Boroughs, Villages, Hamlets, Forests, Rivers, Lands, and any other things whatsoever depending of them, shall remain irrevocably, and for ever, by the present Treaty, united and incorporated to the Crown of *France*, to enjoy the same by the said Lord the most Christian King, his Heirs, Successors and Assigns, with the same Rights of Sovereignty, Propriety, Regalitys, Patronage, Jurisdiction, Nomination, Prerogatives and Preeminences, upon the Bishopricks, Cathedral Churches, and other Abbys, Priorys, Dignitys, Parsonages, or any other Benefices whatsoever, being within the limits of the said County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid (except, as to *Conflans*, what shall be found to be in the *Pyrenean Mountains* towards *Spain*) of whatsoever Abbys the said Priorys be holding and depending; and all such other Rights formerly belonging to the said Lord the Catholick King, tho not here particularly mention'd. And that his most Christian Majesty shall never hereafter be troubled or molested by any way whatsoever, either of Right or of Fact, by the said Lord the Catholick King, his Successors, or any Prince of his House, or by any other whosoever, or under any pretence or occasion that might happen in the said Sovereignty, Propriety, Jurisdiction, Power, Possession and Enjoyment of all the said Countrys, Towns, Places, Castles, Lands, Lordships, Dominions and Bayliwicks: And withal, of all the Places and other things whatsoever, depending of the said County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid (except, as to *Conflans*, what shall be found to be in the *Pyrenean Mountains* towards *Spain*.) And for that end, the said Lord the Catholick King, both for himself, and his Heirs, Successors and Assigns, doth renounce unto, quit, yield and transfer, as his Plenipotentiary,

tiary, in his Name by the present Treaty of Peace, irrevocably hath renounc'd to, quitted, yielded and transfer'd, perpetually and for ever, in the behalf and to the benefit of the said Lord the most Christian King, his Heirs, Successors and Assigns, all the Rights, Actions, Pretensions, Regalities, Patronage, Jurisdiction, Nomination, Prerogatives and Preeminences, upon the Bishopricks, Cathedral Churches, and other Abbys, Priorys, Dignitys, Parsonages, or any Benefices whatsoever, being within the limits of the said County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid (except as to *Conflans*, what shall be found to be in the *Pyrenean Mountains towards Spain*) of what Abbys soever the said Priorys be depending: And generally all other Rights, without keeping or reserving any thing which the said Lord the Catholick King, or his said Heirs and Successors, have and pretend, or may have and pretend, for what cause and occasion soever, upon the said County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the *Pyrenean Mountains towards Spain*) and upon all the Places depending of them as aforesaid; which together with the Men, Vassals, Subjects, Boroughs, Villages, Hamlets, Forests, Rivers, Lands, and other things whatsoever depending of them, without keeping or reserving any thing, the said Lord the Catholick King, both for himself, and for his Successors, doth from henceforth and for ever consent to be united and incorporated to the Crown of *France*: All Laws, Customs, Statutes, Constitutions and Conventions made contrary thereunto, even such as may have been confirm'd by Oath, in any wise notwithstanding. To which, and to the Clauses derogatory of any other derogatory Clauses, it is expressly derogated by the present Treaty, for the effect of the said Renunciations and Cessions, which shall be valid, and shall take place, the particular Expression or Specification not derogating to the general, nor the general to the particular: Excluding for ever all Exceptions, upon what Rights and Titles, causes or pretences soever the same may be grounded; and namely, that it might hereafter be pretended, that the separation of the County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the *Pyrenean Mountains towards Spain*) and of their Appurtenances and Depen-

Dependences, should be against the Constitutions of the Principality of *Catalonia*; and that therefore the said Separation cannot have been resolv'd nor concluded, without the express consent of all the People assembled in their General Estates: And the said Lord the Catholick King doth declare, will and intend, that the said Men, Vassals, Subjects of the said County of *Roussillon*, Viquery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the *Pyrenean Mountains towards Spain*) their Appurtenances and Dependences, be and remain quitted and absolv'd from henceforth and for ever, of the Faith, Homages, Service and Oath of Fidelity, all and every of them may have made unto him, and to his Predecessors the Catholick Kings; and withal, of all Obedience, Subjection and Vassalage, which therefore they might owe unto him: Willing that the said Faith, Homage and Oath of Fidelity, remain void and of none effect, as if they had never been done or taken.

XLIV. The said Lord the Catholick King shall re-enter into the possession and enjoyment of the County of *Carolois*, to enjoy it by him and his Successors, fully and peaceably, and hold the same under the Sovereignty of the most Christian King, as he held it before the present War.

XLV. The said Lord the most Christian King shall restore to the said Lord the Catholick King, in the Low-Countrys, the Towns and Places of *Ypres*, *Oudenard*, *Dixmude*, *Furnes*, with the fortify'd posts of *La Fintelle* and *La Quenoque*, *Merville* upon the River of *Lys*, *Menin* and *Comines*, their Appurtenances, Dependences and Annexes: As also his most Christian Majesty shall put again into the hands of his Catholick Majesty the places of *Bergh St. Wynox* and its Royal Fort, and the place of *La Bassée*, by way of exchange for the places of *Marienburg* and *Philippeville*, as hath been said in the XXXIX Article.

XLVI. Secondly, The said Lord the most Christian King shall restore in *Italy*, unto the said Lord the Catholick King, the places of *Valance* upon the *Po*, and of *Mortara*, their Appurtenances, Dependences and Annexes.

XLVII. Thirdly, In the County of *Burgundy*, the said Lord the most Christian King shall restore unto the said Lord the Catholick King, the Places and Forts of *St. Amour*, *Bleverans* and *Joux*, and their Appurtenances, Dependences and Annexes, and all the other Posts, fortify'd or not fortify'd, which the Armys of his most Christian Majesty

have taken in the said County of *Burgundy*, without keeping or reserving any thing.

XLVIII. Fourthly, Towards *Spain*, the said Lord the most Christian King shall restore to the Catholick King the Places and Ports of *Roses*, the Fort of the *Trinity*, *Cap-de Quers*, *La Seau d'Urgel*, *Toxen*, the Castle of *La Bastide*, the Town and Place of *Baga*, the Town and Place of *Ripol*, and the County of *Cerdana*, wherein are *Belver*, *Puicerda*, *Carol* and the Castle of *Cerdana*, in such a condition as they be now, with all the Castles, Ports, fortify'd or not fortify'd Towns, Boroughs, Villages, and other Places, Appurtenances, Dependences and Annexes, belonging to the said Places of *Roses*, *Cap-de Quers*, *Seau d'Urgel*, and County of *Cerdana*, altho not nam'd nor specify'd here. Provided, that if any of the said Posts, Towns, Places and Castles beforenam'd, shou'd be found to be in the Viquery of *Cerdana*, in the *Pyrenean* Mountains towards *France*, they shall remain to his most Christian Majesty; according unto, and by virtue of the forty second Article of the present Treaty, any thing in the present Article contain'd notwithstanding; whereunto in that case, and in that respect it is derogated.

XLIX. The said Lord the Catholick King shall restore unto the Lord the most Christian King, the Towns and Places of *Rocroy*, *Le Catelet*, and *Linchamp*, with their Appurtenances, Dependences and Annexes; so that for any Reason, Cause or Excuse whatsoever, foreseen or not foreseen (even this, that the said Places of *Rocroy*, *Le Catelet*, and *Linchamp*, are at this present in the power, and in other hands than of his Catholick Majesty) he shall not be dispens'd of the said Restitution of those three Places to the said Lord the most Christian King; his said Catholick Majesty ingaging and taking upon himself the real and faithful execution of the present Article.

L. The respective Restitution of the said Places, as it is aforesaid in the five next foregoing Articles, shall be made by the said Lords and Kings, or by their Ministers, really and *bonâ fide*, without any delay or difficulty, for what cause or occasion soever, unto such as shall be appointed by the said Lords and Kings respectively, within the time, and in the manner that shall be here under appointed, and in such condition as the said Places are at this time, without demolishing, weakening, imbezzeeling, diminishing or dam-nifying any thing therein, in any wise; and without pre-
tending

tending or demanding any reimbursement for the Fortifications made in the said Places, nor for the payment of what might be due to the Soldiers and Garisons that are in them.

LI. The said Lords and Kings, in restoring of the said Places respectively, shall have liberty to take and carry away all the Artillery, Poudre, Bullets, Victuals or other warlike Ammunitions, that shall be in the said Places at the time of the Restitution. Likewise the Officers, Soldiers and others, that shall go out of the said Places, shall have liberty to take and carry away the moveable Goods to them belonging; but it shall not be lawful for them to exact any thing of the Inhabitants of the said Places, nor of the Country People, nor to wrong their Houses, or carry away any thing belonging to the Inhabitants: As also the said Lords and Kings shall be bound to pay unto the said Inhabitants of the Places, from whence they shall withdraw their Arms, and which they shall restore, all that may be justly due unto them by the said Lords and Kings, for things taken by the Governors of the said Places, or other Ministers of the said Lords and Kings, to be employ'd to their Services, for which they shall have given Receipts or Bonds to such as have furnish'd them with the same. As also the Officers and Soldiers of the said Garisons shall be oblig'd to pay what they lawfully owe to the Inhabitants upon their Receipts or Bonds: Provided, that for the performing of that satisfaction to the Inhabitants, the yielding and restoring the said Places be not retarded; but that the same be done by the time and day that shall be agreed on and prescrib'd hereafter, in the other Articles of the present Treaty. The Creditors, in that case, remaining in all the Right of the just Pretensions they may have.

LII. As the Place of *Hesdin*, and the Bayliwick thereof, ought, by the present Treaty of Peace, to remain to the most Christian King, as before hath been express'd; it has been concluded and agreed, in consideration of the Offices of the said Lord the Catholick King, who had taken under his Protection the Officers of War, or the Soldiers of the Garison of the said *Hesdin*, who had revolted in that Place, and had drawn themselves from the Obedience of the said Lord the most Christian King, since the Death of the Governor of the said Place, that in conformity to the Articles, whereby the said Lords and Kings do pardon, each of them, all such as have follow'd the contrary Party, provided they be not found guilty of any other Crimes, and

do promise to settle them again in the possession and enjoyment of their Goods: His most Christian Majesty shall cause his Letters of Amnesty and Pardon to be dispatch'd, in good form, in the behalf of the said Officers of War, and Soldiers of the Garison of the said *Hesdin*; which Letters being offer'd and put into the hands of the Commander of the Place, upon the day design'd and appointed between their Majestys for the restitution of the said place into the power of his most Christian Majesty, as shall be said hereafter, upon the same day, and at the same time the said Commander, Officers and Soldiers, shall be bound to go out of the said place, without any delay or excuse, under what pretence soever, foreseen or not foreseen; and to surrender the said Place, in the same condition it was when they revolted, to the power of such as his most Christian Majesty shall commit for to receive it in his name; and that without altering, weakening, imbezzeling, demolishing or damnifying any thing, in any sort or manner whatsoever, in the said Place. And in case the said Letters of Amnesty and Pardon, being offer'd to the said Commander, himself, or the other Officers and Soldiers of the said Garison of *Hesdin*, shou'd refuse or delay, under what cause or pretence soever, to surrender the said Place in the said condition, into the power of such as his said most Christian Majesty shall have appointed to receive it in his name; the said Commander, Officers and Soldiers shall forfeit the Grace of Amnesty and Pardon procur'd unto them by his Catholick Majesty, and his said Majesty shall make no further instance in their behalf: And in the same case his said Catholick Majesty doth promise, upon the word of a King, not to give, directly or indirectly, unto the said Commander, Officers and Soldiers, nor suffer to be given them, by any in his Dominions, any assistance of Men, Arms, Victuals, Warlike Ammunitions or Money; but to the contrary, shall assist with his Forces, in case he be desir'd, the said Lord the most Christian King, for the assaulting of the said Place, that it might the sooner be reduc'd to his Obedience, and the present Treaty may the sooner have its full effect.

LIII. As the three Places of *Auvenes*, *Philippeville* and *Marientburg*, with their Appurtenances, Dependences and Annexes, are yielded by the present Treaty, as aforesaid, unto the Lord the most Christian King, to be united and incorporated to the Crown of *France*; it hath been concluded

cluded and agreed, That in case between the said Places and France, there be found any Boroughs, Villages, Places or Lands, which not being of the said Appurtenances, Dependences or Annexes, ought to remain in the Propriety and Sovereignty of the said Lord the Catholick King; neither his said Catholick Majesty, nor the Kings his Successors, shall have power at any time to fortify the said Boroughs, Villages, Posts or Countrys, nor to make any new Fortifications between the said Places of *Avennes*, *Philippeville* and *Marienburg*, by means of which Fortifications the said Places, or any of them, might be cut off from France, or the Communication between them disturb'd: as likewise it hath been concluded and agreed, That in case the place of *Renty* in *Artois* remain to his Catholick Majesty, as it ought to remain to him in case it be found to be of the Dependences of *Ayre* or *St. Omer*, neither his said Catholick Majesty, nor the Kings his Successors, shall have power at any time to fortify the said *Renty*.

LIV. All Papers, Letters and Documents, concerning the Countrys, Lands and Lordships that are to remain to the Lord the most Christian King by the present Treaty of Peace, shall be furnish'd and deliver'd him, *bonâ fide*, within three months after the exchanging of the Ratifications.

LV. By virtue of the present Treaty, all the *Catalonians* and other Inhabitants of the said Province, as well Prelates, Ecclesiastical Persons, religious Persons, Lords, Gentlemen and Burgeses, as other Inhabitants, both of the Towns and of the Country, none excepted, shall have power to re-enter, and shall effectually re-enter, and be left and establish'd in the possession and peaceable enjoyment of all their Goods, Honours, Dignitys, Privileges, Franchises, Rights, Immunitys, Constitutions, and Libertys; and shall never be prosecuted, troubled, or molested, either in general, or in particular, upon any cause or pretence whatsoever, for any thing done since the beginning of the present War. And for that end his Catholick Majesty shall grant and cause to be publish'd, in good form, his Declarations of Amnesty and Pardon, in the behalf of the said *Catalonians*; which publication shall be made upon the same day as the publication of the Peace: in consequence of which Declarations, it shall be permitted to all and any of them in particular, either personally to return to their Houses, and to the enjoyment of their Goods; or in case they be

willing to settle their Habitation any where else out of *Catalonia*, they shall have liberty to do it, and to send into the said Country of *Catalonia* their Agents and Attorneys, to take, in their names and for them, the possession of the said Goods, to improve and administer the same, receive the Fruits and Revenues, and transport the same whither they shall please; so that they shall not be oblig'd personally to go and do homage for the Lands and Mannors, whereunto their Attorneys shall have power to satisfy in their name: and their Absence shall not hinder their free possession and enjoyment of the said Goods; which they shall have also liberty and full power to exchange or alienate by Sale, Gift, or otherwise: Yet upon that condition, that those they shall so commit for the management and improvement of their said Estates, be not suspected to the Governors or Magistrates of the Places where such Estates are situated; in which case, the Owners shall appoint other Persons, that be acceptable and no way suspected. Yet it remaining at the will and power of his Catholick Majesty to prescribe the Place of the Abode to such of the said *Catalonians*, whose return into the Country shall not be acceptable to his Majesty; so that the other Libertys and Privileges granted unto them, and which they enjoy'd, shall not be repeal'd nor alter'd. As also it shall remain at the will and power of his most Christian Majesty to prescribe the Place of Abode to such of the County of *Roussillon*, Appurtenances and Dependences, who have retir'd themselves into *Spain*, whose return into the said County shall not be acceptable to his Majesty; yet so, that the other Libertys and Privileges granted to the said Persons, shall not be repeal'd nor alter'd.

LVI. The Testamentary Successions, or any other Donations whatsoever between living Persons or others of the Inhabitants of *Catalonia*, and of the County of *Roussillon*, mutually made to one another, shall remain equally permitted and inviolable; and in case about the said Successions, Donations, or other Acts and Contracts, there should happen betwixt them any differences whereby they should be oblig'd to plead and go to Law, Justice shall be done on both sides with equality and *bonâ fide*, altho they be under the obedience of the other Party.

LVII. The Bishops, Abbots, Prelates, and others, who have been promoted, during the War, to Ecclesiastical Benefices, with approbation of our holy Father the Pope, and by

by Apostolical Authority, dwelling in the Lands of either of the Partys, shall enjoy the Fruits, Rents and Revenues of the said Benefices, which shall be found to be within the limits of the Lands of the other Party, without any Trouble or Molestation, upon what Causes, Reason, or Pretence soever: And for that end they shall have power to appoint, for the said enjoyment and receiving of the said Fruits, such Persons as are not suspected, having first obtain'd the good liking of the King, or of his Officers and Magistrates, under whose nomination the said Fruits, Rents and Revenues shall be found to be situated.

LVIII. Such Inhabitants of the Principality of *Catalonia*, or of the Country of *Roussillon*, who shall have enjoy'd, by Donation or Confiscation granted by either of the two Kings, such Goods or Estates, as were belonging to any Persons of the contrary Party, shall not be bound to make any restitution to the Owners of the said Estates, of the Fruits by them receiv'd by virtue of the said Donations or Confiscations, during the present War. Provided that the effect of the said Donations or Confiscations do cease from the day of the publication of the Peace.

LIX. Commissioners shall be appointed on both sides, two months after the publication of the present Treaty, who shall meet at such a place as shall be respectively agreed on, there to end in an amicable way all such differences as might be yet betwixt both Partys; which Commissioners shall take care to see the Subjects on both sides equally and well treated, and shall not suffer the one to re-enter into the possession of their Estates, but at the same time when the other shall also re-enter into the possession of theirs: As also the said Commissioners, if it be so judg'd fit, shall be injoin'd to make a just valuation on both sides of the Estates of such as shall not be willing to return into the Country they have forsaken, or of such as the two Kings shall not be willing to receive, having prescrib'd unto them their Abode somewhere else, as aforesaid; that the said Valuation being made, the same Commissioners might manage in all equity the Exchanges and Compensations of the said Estates for the greater conveniency, and with equal advantage to the interested Partys, being careful that none be wrong'd. And in a word, the said Commissioners shall regulate all things concerning the Commerce, and the mutual frequentation of the Subjects on both parts, and all such things as they shall think most conducive to the

publick Utility, and to the strengthening of the Peace. And whatsoever hath been said in the four immediately foregoing Articles, and in this concerning the County of *Rosillon* and the Inhabitants thereof, ought in the same manner to be understood of the Viquery of *Conflans*, and that part of the County of *Cerdana*, that may or ought by the present Treaty to remain in the propriety of his most Christian Majesty, by the Declaration of the aforesaid Commissioners, and of the Inhabitants of the Viquery of *Conflans*, and the aforesaid part of the County of *Cerdana*: As also it ought reciprocally to be understood of the County of *Cerdana*, and of the part of the Viquery of *Conflans*, that may or ought to remain to his Catholick Majesty, by the present Treaty, and the Declaration of the said Commissioners.

LX. Altho his most Christian Majesty hath never been willing to engage himself (notwithstanding the pressing Instances made to him heretofore, back'd even with very considerable Offers) not to make the Peace without the exclusion of the Kingdom of *Portugal*, because his Majesty hath foreseen and fear'd lest such an Engagement might be an unsurmountable obstruction to the conclusion of the Peace, and might consequently reduce the two Kings to the necessity of a perpetual War; yet his said most Christian Majesty wishing, with an extreme Passion, to see the Kingdom of *Portugal* enjoy the same quietness, which so many Christian States shall get by the present Treaty, hath for that end propos'd a good number of Partys and Expedients, such as his Majesty thought might be satisfactory to his Catholick Majesty; among which, tho as aforesaid his Majesty was no way engag'd in that Affair, his Majesty hath even gone so far therein, as to be willing to deprive himself of the principal fruit of the Happiness and Success his Arms have had, during the course of a long War, offering, besides the Places his Majesty doth now restore by the present Treaty unto his Catholick Majesty, to restore yet unto him all the rest of the Conquests generally made by his Arms during this War, and wholly to restore the Prince of *Conde*; provided, and upon that condition, that the Affairs of the Kingdom of *Portugal* shou'd be left as they are now: which his Catholick Majesty having refus'd to accept, but only offering, that in consideration of the mighty Offices of the said Lord the most Christian King, he wou'd give his consent for setting all things in the said Kingdom

of *Portugal* in the same state they were before the
 lution there in the month of *December*, in the year
 pardoning and giving a general Amnesty for all
 is past, and granting the Re-establishment into
 states, Honours and Dignitys, to all such, with-
 istinction of Persons, as returning under the Obe-
 of his Catholick Majesty, shall be dispos'd to
 the effect of the present Peace; at length, in con-
 tion of the Peace, and considering the absolute
 ity his said most Christian Majesty hath been in to
 uate the War, by breaking off the present Treaty,
 his Majesty found to be unavoidable, in case he
 have insisted any longer upon the obtaining, upon
 affair, of his Catholick Majesty other Conditions
 ach as he offer'd, as aforesaid: And his said most
 an Majesty willing to prefer, as it ought to be, and
 just, the general Quietness of *Christendom* to the
 lar Interest of the Kingdom of *Portugal*, for whose
 ige, and in whose behalf, his said Majesty hath ne-
 sitted any thing of what belong'd to him, and did
 is power, even to the making of such great Offers as
 d; it hath been at length concluded between the
 rds and Kings, that there shall be granted to his said
 hristian Majesty, the space of three months, to
 rom the day of the exchanging the Ratifications
 resent Treaty, during which his said Majesty may
 o the said Kingdom of *Portugal*, to endeavour so to
 things there, and to reduce and compose that Af-
 at his Catholick Majesty may remain fully satisfy'd,
 three months being expir'd, if his said most Chris-
 jesty's Cares and Offices have not had the desir'd
 is said Majesty will no further meddle with that
 und doth oblige and engage himself, and promise
 Honour, and on the Word of a King, for himself
 Successors, not to give unto the said Kingdom of
 , either in general, or to any Person or Persons in
 r, of what Dignity, State, Condition, or Qua-
 er they be, now or hereafter, any Help or Assis-
 ublick or secret, directly or indirectly, of Men,
 mmunition, Victuals, Ships, or Money, upon any
 , nor any other thing whatsoever, by Sea or Land,
 y other manner: As also not to suffer any Le-
 : made in any parts of his Kingdom and Domi-
 or to grant Passage to any that might come from

other States, to the assistance of the said Kingdom of *Portugal*.

LXI. His Catholick Majesty doth renounce by this Treaty, both in his own name, and of his Heirs, Successors and Assigns, all the Rights and Pretensions, without keeping or reserving any thing, which his Majesty may, or might hereafter have upon the *Upper and Lower Alsacia*, the *Zuntgaw*, the County of *Ferrese*, *Brisac*, and Dependences thereof, and upon all the Countrys, Places and Rights left and yielded to his most Christian Majesty by the Treaty made at *Munster*, the 14th of *October* 1648. to be united and incorporated to the Crown of *France*: His Catholick Majesty approving, for the effect of the said Renunciation, the Contents of the said Treaty of *Munster*, and not any other thing of the said Treaty, as not having interven'd therein. In consideration of which present Renunciation, his most Christian Majesty does offer to satisfy the payment of three Millions of Livres, his Majesty is oblig'd to pay, by the said Treaty, to the Arch-Dukes of *Inspruck*.

LXII. The Duke *Charles* of *Lorain* having shew'd much Sorrow for his Conduct towards the Lord the most Christian King, and to have a firm intention to give him more satisfaction for the future, both of himself and of his Actions, than the time past, and the occasions have formerly enabled him to do; his most Christian Majesty, in consideration of the mighty Offices of his Catholick Majesty, doth from this time receive the said Duke into his good Grace, and in contemplation of the Peace, without looking to the Rights his Majesty may have acquir'd by several Treatys made by the late King his Father with the said Duke, after the demolishing, which shall be first made, of all the Fortifications of both the Towns of *Nancy*, which he shall not have power to raise again, and the drawing and carrying away of all the Artillery, Poudre, Bullets, Arms, and Ammunitions of War, that are at present in the Magazines of the said *Nancy*, shall put again the said Duke *Charles* of *Lorain* into the possession of the Dukedom of *Lorain*, and even of the Towns, Places and Countrys, by him formerly possess'd, depending of the three Bishopricks of *Metz*, *Thoul* and *Verdun*, except first *Moyenvie*, which, tho within the Marches of *Lorain*, yet belong'd to the Empire, and hath been yielded to his most Christian Majesty, by the Treaty made at *Munster* the 21st of *October*, 1648.

LXIII. *Secondly*, Except the whole Dukedom of *Bar*, Countrys, Towns and Places, making up the same, as well that part thereof as doth hold from the Crown of *France*, as that which might be pretended not to hold of it.

LXIV. *Thirdly*, Except the County of *Clermont*, and the Dominion thereof, and the Places, Provostships, and Lands of *Stenay*, *Dun* and *Jametz*, with the whole Revenue thereof, and the Territorys belonging to them. Which *Moyenvie*, Dukedom of *Bar* (therein comprehending the part of the Place and Provostship of *Merville*, which, as it hath been said before, did belong to the Duke of *Bar*) Places, County, Provostship, Lands, and Dominions of *Clermont*, *Stenay*, *Dun* and *Jametz*, with their Appurtenances, Dependences, and Annexes, shall remain for ever united and incorporated to the Crown of *France*.

LXV. The said Duke *Charles* of *Lorain*, before his Re-establishment into the Dominions aforesaid, and before any Place be restor'd unto him, shall give his Consent to the Tenour of the three immediately foregoing Articles; and to that effect, shall deliver to his most Christian Majesty, in the most valid and authentick form his Majesty might desire, the Acts of his Renunciation and Cession of the said *Moyenvie*, Dukedom of *Bar*, therein comprehending the part of *Merville*, both the part holding and pretended not to hold of the Crown of *France*, *Stenay*, *Dun*, *Jametz*, the County of *Clermont*, and the Dominion thereof, Appurtenances, Dependences and Annexes. And the said Duke, nor his Successors, either now or ever hereafter, shall pretend or demand any thing of the Price the late King *Lewis XIII.* of glorious memory had bound himself to pay unto the said Duke, for the said Dominion of the Country of *Clermont*, by the Treaty made at *Liverdun*, in the month of *June*, 1632. because the Article containing the said Obligation hath been annull'd by the subsequent Treatys, and again afresh, as much as need might be, is wholly annull'd by this present Treaty.

LXVI. His most Christian Majesty, in restoring unto the said Duke *Charles* the Places of his Dominions as aforesaid, shall leave therein, except only in such as are agreed to be demolish'd, all the Artillery, Pouders, Bullets, Arms, Victuals, and Ammunitions of War, that are in the Magazines of the said Places, without imbezling, weakening, and damnifying the same in any manner whatsoever.

LXVII. Neither the said Duke *Charles of Lorain*, nor any other Prince of his House, or of his Adherents and Dependents, shall have power to remain in Arms; but both the said Duke and the other aforesaid, shall be bound to disband their Forces at the Publication of the said Peace.

LXVIII. The said Duke *Charles of Lorain*, before his Re-establishment into his Dominions, shall likewise prepare an Act in good form to his most Christian Majesty, that he doth desist and give over all Intelligences, Leagues, Associations and Practices, he hath or may have, with any Prince, State and Potentate whatsoever, to the prejudice of his Majesty and the Crown of *France*: And that for the future, he will give no retreat into his Dominions to his Enemys, Rebels or suspected Subjects, and will not permit any Levys there, nor gathering of Soldiers against his Service.

LXIX. The said Duke *Charles* shall likewise give, before his Re-establishment, an Act in good form to his most Christian Majesty, whereby he shall bind himself, both for himself and all the Dukes of *Lorain* his Successors, to grant at all times, without any difficulty, under what pretence soever the same might be grounded, free passage upon his Dominions, both to such Persons and Forces, Horse and Foot, whom his said Majesty and the Kings of *France* his Successors, shall have occasion to send into *Alsatia*, or to *Briscac* and *Philipsburg*, as often as he shall be desir'd by his said Majesty, and his said Successors; and to cause Victuals, Lodgings and other Necessarys to be afforded to the said Forces in his said Dominions, by way of Estap, the said Forces paying their Expences at the ordinary Rate of the Country. Provided, they be but meer Passages, at regular Marches and reasonable Journeys, without sojourning in the said Dominions of *Lorain*.

LXX. The said Duke *Charles*, before his Re-establishment into his Dominions, shall put into the hands of his most Christian Majesty, an Act in good form, and satisfactory to his Majesty, whereby the said Duke shall oblige himself for himself, and for all his Successors, to cause the Farmers and Administrators of the Salt-pits of *Rosieres*, *Chateau-Salins*, *Dienze* and *Marsal*, which his Majesty doth restore to him by the present Treaty, to afford to his Majesty all such quantity of Measures of Salt, as shall be necessary for furnishing all the Salt Store-houses, that ought to be fill'd for the use and ordinary consumption of his Majesty's Subjects,

Subjects, within the three Bishopricks of *Metz*, *Toul* and *Verdun*, Dukedom of *Bar*, and County of *Clermont*, *Stenay*, *Jametz* and *Dun*, at the same rate for each measure of Salt, as the said Duke *Charles* us'd to afford it to the Store-houses of the Bishoprick of *Metz*, in time of Peace, during the last Year of the said Duke's possessing his whole Dominions; and neither he nor his Successors shall have power to raise the Price of the said measures of Salt.

LXXI. And because since the time the late most Christian King of glorious Memory, hath conquer'd *Lorain* by his Arms, a great number of the Subjects of that Dukedom have serv'd their Majestys, in consequence of the Oaths of Fidelity their Majestys have desir'd of them, it hath been agreed, That the said Duke shall not like them, nor use them the worse for it, but shall consider and use them as his good and faithful Subjects, and shall pay them off such Debts and Rents, whereof his Dominions may be charg'd: Which his Majesty doth so particularly desire, that had it not been for the assurance his Majesty takes of the Faith the said Duke will engage to him for that purpose, his Majesty would never have granted him so much as he doth by the present Treaty.

LXXII. It hath been farther agreed, that the said Duke shall not have power to alter any thing in the Provisions of the Benefices granted by the said Lords and Kings, till the Day of the present Treaty; and that such as have been provided, shall remain in the peaceable possession of the said Benefices; wherein the said Duke shall not disturb or molest them, nor have power to turn them out of their possession.

LXXIII. It hath been further agreed, That the Confiscations given by his Majesty, and his Father the late King, of the Estates of such as were in Arms against him, shall be of Force, as to the enjoyment of the said Estates, till the Day of the date of the present Treaty; and such as have enjoy'd the same, by Virtue of the said Gifts, shall not be troubled nor molested for the same in any wise, and for no cause whatsoever.

LXXIV. It hath been further agreed, That all Proceedings, Judgments and Arrests, issu'd by the Council, Judges and other Officers of his most Christian Majesty, upon any Differences and Processes, prosecuted both by the Subjects of the said Dukedoms of *Lorain* and *Bar*, and others, whilst the said Dominions were under the obedience of the said Lord

Lord the most Christian King, and of the late King his Father, shall stand and have their full and intire effect, as if the said Lord and King should remain Lord and Possessor of the said Country: And the said Judgments and Arrests shall not be call'd to any question, nor recall'd, nor the execution of them any way retarded or hinder'd. Yet it shall be lawful to the Partys, to sue a Revision of the Cause, according to the order and disposition of the Laws and Ordinances; the said Judgments remaining in the mean while in their force and virtue.

LXXV. Moreover it hath been further agreed, That all other Gifts, Graces, Remissions and Alienations, made by the said Lord the most Christian King, and the late King his Father, during the said time of things escheated and accru'd to them, or adjudg'd to them either by Confiscation for Crime or Offence, (other than of War, for having follow'd the said Duke) or by Reversion of Lands, or for want of lawful Successors or otherwise, shall be and remain good and valid, and shall not be recall'd; nor shall those to whom the said Gifts, Graces and Alienations have been made, be disturb'd or molested in the enjoyment of them in any wise, or for any cause whatsoever.

LXXVI. As also that such as, during the said time, have been receiv'd to Faith and Homage by the said Lords and Kings, or their impower'd Officers, because of the said Lands and Lordships held and depending of the Towns, Castles or Places, possess'd by the said Lords and Kings in the said Country, and have paid for the same the Rights and Dutys belonging to the Lord, or have obtain'd a gift and remission of the same, shall not be troubled or molested, by reason of the said Rights and Dutys, but shall remain acquitted, and be liable to no demand about the same.

LXXVII. In case the said Duke *Charles of Lorain* be not willing to accept and ratify what hath been agreed by the two Lords and Kings, concerning his Interests, in the manner aforesaid: or having accepted of the same, he should happen hereafter to fail in the execution and performance of the Tenor of the present Treaty, his most Christian Majesty in the first case of non-accepting of the Treaty by the said Duke, shall not be bound to execute on his part any of the Articles of the said Treaty; and yet he shall not be deem'd, for this cause, to have in any thing infring'd the same: As also in the second case, that the said Duke having
accepted

accepted of the aforesaid Conditions, should hereafter happen to fail on his part in the execution thereof, his said Majesty hath reserv'd, and doth reserve unto himself, all the Rights he had acquir'd upon the said Dominions of *Lorain*, by several Treatys made between the late King his Father of happy Memory, and the said Duke, to prosecute the said Rights in such manner as he shall think best.

LXXVIII. His Catholick Majesty doth consent that his said most Christian Majesty be not oblig'd to the aforesaid Re-establishment, to the said Duke *Charles of Lorain*, but after the Emperor shall have approv'd and ratify'd by an authentick Act, which shall be deliver'd to his most Christian Majesty, all the Articles stipulated as to the said Duke *Charles of Lorain*, in the present Treaty, none excepted: And his said Catholick Majesty doth oblige himself to procure of the Emperor, the speedy expedition and delivery of the said Act: As also in case it be found, that of the Dominions, Countys, Towns, Lands or Lordships, remaining to his most Christian Majesty, in propriety, by the present Treaty, of such as formerly belong'd to the Dukes of *Lorain*, there be any Fief held of the Empire, for reason whereof his Majesty had need and should desire to be invested with the same, his Catholick Majesty doth promise, sincerely and *bonâ fide*, to solicit the Emperor for the obtaining of the said Investitures, in the behalf of the said Lord most Christian King, without delay or difficulty.

LXXIX. The Prince of *Conde* having let Cardinal *Mazarine*, the Plenipotentiary of the most Christian King his Sovereign Lord, to understand, that he might acquaint his said Majesty with it, how extremely sorrowful he was to have some Years since follow'd a course displeasing to his Majesty; that he wish'd he could redeem with the best part of his Blood, all the Hostilities he hath committed within and without the Kingdom of *France*; whereunto he protesteth that his sole unhappiness, rather than any evil intention against his Majesty's Service, hath engag'd him; And that if his Majesty be pleas'd to have so much Generosity as to use towards him his Royal Bounty, forgetting what is past, and keeping him in honour of his good Graces, he will endeavour as long as he shall live to acknowledge that benefit, by an inviolable Fidelity, and to repair what is past by a full obedience to all his Commands: And that in the interim, to begin and shew by the Deeds that might be presently in his power, with how great passion he

desir'd

desir'd to recover the honour of his Majesty's Benevolence, he pretends nothing in the conclusion of that Peace, for all the Interests he may have therein, but from the meer Bounty, and of the sole Motion of the said Lord the King his Sovereign Lord; and doth even desire his Majesty should be pleas'd fully to dispose, and according to his good pleasure, in such a manner as he shall please, of all the Indemnifyings, the Lord the Catholick King shall be pleas'd to grant him, and which he hath already offer'd him either in Estates or Lands, or in Places or Mony, which he submits all to his Majesty's Feet. And besides that he is ready to disband all his Forces, and to put in his Majesty's power the Places of *Rocroy*, *le Chastelet* and *Linchamp*, whereof the two first were remitted to him by his said Catholick Majesty: And that as soon as he may have obtain'd leave, he will send an Express to the said Lord the King his Sovereign, to protest yet more expressly of all the same Intentions, and of the Truth of his Submissions, and to deliver to his Majesty such Act or Writing subscrib'd by him, as his Majesty shall be pleas'd to prescribe for assurance that he renounceth all Leagues, Treatys and Associations he might have made heretofore with his Catholick Majesty; and that for the future he will not take nor receive any Establishment, Pension nor Benefit of any Foreign King or Potentate. And finally, for all the Interests he may have, in what thing soever they may consist, he wholly remitteth them to the good pleasure and disposition of his Majesty, without any Pretension. His said most Christian Majesty, being inform'd of all the Premises by his said Plenipotentiary, and being sensible of the said Prince's Proceeding and Submission hath desir'd and consented, that his Interests should be regulated in this Treaty, after the manner following, granted and agreed on between the two Lords and Kings.

LXXX. *First*, that the Prince shall lay down Arms at the furthest within eight Weeks, reckoning from the Day of the subscribing of the present Treaty, and shall effectually disband all his Forces, both Horse and Foot, *French* and *Foreigners*, who make up the Body of the Army he commands in the *Low-Countrys*; and that after such manner as his most Christian Majesty shall be pleas'd to prescribe; except the Garisons of *Rocroy*, *le Chastelet* and *Linchamp*, which shall be disbanded at the time appointed for the restitution of the said three Places: and the said laying down of

and disbanding shall be made by the said Prince *à bonâ fide*, without transporting, lending or selling really or feignedly, to any other Princes or whatsoever, either Friends or Foes, or either *France*.

XI. *Secondly*, That the said Prince, sending an to his Majesty, to confirm more particularly to the things aforesaid in his Name, shall deliver to his an Act subscrib'd by him, whereby he shall submit execution of what hath been concluded between the and Kings as to his Person and Interests, and as sons and Interests of those that have follow'd him. consequence thereof he shall declare, that he separates from, and *bonâ fide* renounceth all Intelligences and Treatys of Association or Protection he may have made and contracted with his Catholicity, or any other Kings, Potentates or Foreign whatsoever, or any other Persons within or without the Kingdom of *France*, with promise never to take or receive any time hereafter of the said foreign Kings or any Penfions, Establishments or Benefices, that he give him to a dependance of them, or to any tie to any Kings or Potentates, but to his said Majesty his Lord; upon the penalty, in case of Breach of Writing, to forfeit from that time the Restoration Establishment granted to him by the present Treaty, and to turn to the same condition he was in about the month of *March* in this present Year.

XII. *Thirdly*, That the said Prince, in execution of what hath been before concluded and agreed between the Lords and Kings, shall really and indeed put into the hands of his most Christian Majesty the Places of *Roselle* and *Linchamp*, upon the time and day appointed in another Article of this same Treaty.

XIII. Provided that what is abovesaid be executed, by the said Christian Majesty, in contemplation of the Peace, and consideration of the Offices of his Catholick Majesty, of his Loyal Clemency, shall sincerely and with a good will receive the said Prince into his Grace, will pardon him, and with the same sincerity will forget all that for the past he hath done and undertaken against his Service in or without the Kingdom; and will like his recovery of *France*, even where his Majesty's Court shall be. Hence whereof, his said Majesty shall restore and re-establish

re-establish the said Prince really and indeed into the free possession and enjoyment of all his Estates, Honours, Dignitys and Privileges of first Prince of his Blood: Yet so, that as to the said Estates and Goods, of what nature soever, the said Prince shall never pretend any thing for the time past, for Restitution of the fruits of the said Estates, by whomsoever they may have been enjoy'd by order of his Majesty, nor for Payment and Restitution of his Pensions, Salarys, or any other Rents and Revenues he had upon Demesns, Farms, or general Receipts of the said Lord the King, nor by reason, or under pretence of what he might pretend to be due unto him by his Majesty, before his going out of the Kingdom; nor for Demolitions, Degradations, or Damages made by his Majesty's Orders or otherwise, in what manner soever, upon the Estates, Towns, Places fortify'd or not fortify'd, Lordships, Chastellanys, Lands and Houses of the said Prince.

LXXXIV. And concerning the Charges and Governments of Provinces or Places, whereof the said Prince was provided, and which he possess'd before his going out of *France*, his most Christian Majesty hath for a long time constantly refus'd to restore him thereto, till being sensibly affected with the Proceeding and Submission aforesaid of the said Prince, when he wholly refer'd to his good pleasure and disposition all his Interests, without any Pretension, and whatsoever was offer'd to him by his Catholick Majesty for his indemnifying; his most Christian Majesty hath at length inclin'd to grant him what followeth, upon certain Conditions hereafter specify'd, concluded and agreed on by the said Lords and Kings, *viz.* That in case the Lord the Catholick King, on his part, instead of what he intended to give to the said Prince towards the indemnifying of him, will draw out the *Spanish* Garison that is in the Town, Place and Citadel of *Fuliers*, and leave the said Place and Citadel free of the said Garison to the Duke of *Newburg*, upon the Conditions, and in the manner that shall be hereafter more particularly specify'd in another Article of this present Treaty: As also if his said Catholick Majesty, besides the drawing out of the Town and Citadel of *Fuliers* the aforesaid *Spanish* Garison, doth put into the hands of his most Christian Majesty the Town and Place of *Avennes*, situate between the Rivers of *Sambre* and *Maeze*, with the Appurtenances, Dependences, Annexes and Dominions, after the manner his said Catholick Majesty hath above oblig'd himself

himself to do, by an Article of this present Treaty (which place of *Avennes* his said Majesty intended also to have given among other things to the said Prince) Provided his Majesty doth perform the Premises aforesaid; that is to say, by way of compensation for the said remitting and yielding of one of the said places to the said Lord the most Christian King, to be for ever united and incorporated to the Crown of *France*; and of the going of the *Spanish* Garrison out of the other, in the behalf of a Prince, who is a Friend and an Ally of his said most Christian Majesty, whom his Majesty hath desir'd to oblige, by virtue of the Treaty of the said Alliance: his said most Christian Majesty, for all things generally whatsoever that may concern the Charges and Governments formerly possess'd by the said Prince, or which any of those that belong to him had ground to hope, none excepted, will give unto the said Prince the Government of the Province of *Burgundy* and *Brescia*, wherein are understood to be comprehended the Countrys of *Bugey*, *Gex*, and *Veromey*: As also will give him the particular Governments of the Castle of *Dijon*, and of the Town of *St. John de Laune*; and to the Duke of *Enguien* his Son, the Charge of Grand Master of *France* and of his Household; with Briefs or Declarations of Assurance unto the said Prince to secure it, in case the said Duke of *Enguien* should die before him.

LXXXV. His said Majesty shall cause his Letters Patent of Amnesty to be dispatch'd in good form, for whatsoever the said Prince, his Kindred, Servants, Friends, Adherents, and Domesticks, either Ecclesiastical or Secular, have or may have done or undertaken heretofore against his Service; so that neither he nor they shall ever be prejudic'd or suffer for it at any time, nor their Heirs, Successors and Assigns, as if those things had never happen'd. And his said Majesty shall never at any time make any inquisition against the said Prince nor his, nor against his Servants, Friends, Adherents, or Domesticks, either Ecclesiastical or Secular, for any Monys he or they have taken out of the general or particular Receipts, or out of his Customs and Farms. And his Majesty shall not oblige them to any Restitution of the said Monys, nor of all the Levys of Contributions, Impositions, Exactions upon the People, and Acts of Hostility committed in *France*, in what manner soever it might be: The which shall be more particularly express'd in the said Letters of Amnesty, for the intire Security of the said Prince,

Prince, and of those who have follow'd him, that they shall never be prosecuted, troubled, nor molested for the same.

LXXXVI. After the said Prince of *Conde* hath on his part satisfy'd the contents of the three Articles, 80, 81, 82. of the present Treaty, all Dutchys, Countys, Lands, Lordships, and Dominions, even those of *Clermont*, *Stenay*, and *Dun*, as he had them before his going out of *France*; as also that of *Jametz*, in case he had it then, which formerly belong'd to the said Prince; together with all his other Estates and Goods, real or personal, of what quality soever, in the manner aforesaid, shall be restor'd to him really and indeed, or to such as the said Prince, being in *France*, shall commit and appoint, to take in his name the possession of the said Goods, and to serve him in their Administration. There shall also be restor'd to him, and to his said Deputys, all Titles, Documents, and other Writings left at the time of his going out of the Kingdom, in the Houses belonging to his said Lands and Lordships, or elsewhere. And the said Princes shall be re-integrated into the true and real Possession of all the said Dutchys, Countys, Lands, Lordships and Dominions, with such Rights, Authoritys, Justice, Chancery, Royal Cases, Garners or Salt Store-houses, Presentations and Collations of Benefices, Graces and Preheminences, which he or his Predecessors have enjoy'd, and as he enjoy'd before his going out of the Kingdom; provided that he shall leave *Bellegarde* and *Montrend* in the state they are at present. Whereupon shall be dispatch'd to him, in as good form as he shall desire it, all Letters Patent of his Majesty necessary thereto. And he shall not be troubled, prosecuted, or molested in the said Possession and Enjoyment by the said Lord the King, nor by his Heirs, Successors or Officers, directly or indirectly, notwithstanding any Donations, Unions, or Incorporations that might have been made of the said Dutchys, Countys, Lands, Lordships and Dominions, Estates, Honours, Dignitys, and Prerogatives of first Prince of the Blood, and any derogatory Clauses, Constitutions, and Ordinances contrary thereunto. As also neither the said Prince, nor any of his Heirs and Successors, by reason of things that he may have done, either in *France* before his going out, or out of the Kingdom after his said going out, nor for any Treatys or Intelligences whatsoever, by him had or made with any Princes and Persons whatsoever, of what condition or quality they be, shall not be molested, troubled, nor prosecuted:

secuted: But all kinds of Proceedings, Arrests, even that of the Parliament of *Paris* of the 27th of *March* 1654. Judgments, Sentences, and other Acts, that may already have been made and issu'd against the said Prince, both in civil and criminal matters, unless in the civil matter he hath voluntarily debated it, shall remain void and of none effect, and no pursuit shall ever be made concerning the same, as if those things had never happen'd. And in respect of the Dominion of *Albres*, which the said Prince enjoy'd before his going out of *France*, and whereof his Majesty hath since otherwise dispos'd; his Majesty shall give unto the said Prince the Dominion of *Bourbonnois*, on the same conditions upon which the Exchange of those two Dominions had already been agreed, before the said Prince went out of the Kingdom.

LXXXVII. As to the Kindred, Friends, Servants, Adherents and Domesticks of the said Prince, either Ecclesiastical or Secular, who have follow'd his party; they shall have liberty, in consequence of the Pardon and Amnesty in a foregoing Article mention'd, to return into *France* with the said Prince, and settle their abode in such place as they shall think best; and they shall be re-establish'd, as the other Subjects of the two Lords and Kings, into the peaceable Possession and Enjoyment of their Estates, Honours and Dignitys, except the Charges, Offices and Governments which they were possess'd of before their going out of the Kingdom, to enjoy by them the said Estates, Honours and Dignitys, as they held and possess'd them. Yet they shall not pretend any Restitution for the Enjoyments of the time past, either from such to whom his Majesty had given the same, or in any other manner whatsoever. As likewise they shall be re-establish'd into their Rights, Names, Reasons, Actions, Successions, and Inheritances to them accru'd, or to the Children and Widows of such as are deceas'd, during their absence out of the Kingdom; as also such Moveables by them left, shall be restor'd to them if they be found *in esse*. And his Majesty, in contemplation of the Peace, doth declare null and of none effect (except as to their said Charges, Offices and Governments) all Proceedings, Arrests, even that of the Parliament of *Paris* of the 27th of *March* 1654. Sentences, Judgments, Adjudications, Donations, Incorporations, and other Acts, that may have been made against them or their Heirs, for having follow'd the said Prince's Party; and that

both in civil and criminal matters, unless in the civil matters they have voluntarily debated: and neither they nor their Heirs shall ever be prosecuted, troubled or molested for the same. Upon all which things aforesaid, his most Christian Majesty shall cause to be dispatch'd both unto the said Prince and to his Kindred, Servants, Friends, Adherents and Domesticks, as well Ecclesiastical as Secular, all the necessary Letters Patent, containing the Premises in good form; which Letters Patent shall be deliver'd unto them, when the said Prince shall have perform'd on his part the Contents in the three Articles 80, 81, and 82. of the present Treaty.

LXXXVIII. In conformity to what is contain'd in the 84th Article of the present Treaty, whereby his most Christian Majesty doth oblige himself to give unto the said Prince of *Conde*, and to the said Duke of *Enguien* his Son, the Governments and the Charge therein mention'd; his Catholick Majesty doth promise and oblige himself, on his part, and in the word of a King, to draw out of the Town, Citadel or Castle of *Juliers*, the *Spanish* Garison that is in the said Town, Citadel or Castle, and all such other Forces as might have lately gone into the same, or might yet go in to reinforce the Garison thereof; leaving in the said Town and Citadel all the Artillery mark'd with the Coat of Arms of the House of *Cleveland* or of *Juliers*, or that hath belong'd to them. And as to the rest of the said Artillery, Arms, Ammunition, and Instruments of War, which his Majesty hath in the said Town and Castle of *Juliers*, delivering them to the Duke of *Nieuburg*, or such as shall be appointed by him to receive the same, in the same quality he hath the possession of the Estate of *Juliers*: the said Duke delivering before into the hands of his Catholick Majesty a Writing in good form sign'd with his hand, satisfactory to his said Catholick Majesty, whereby he shall engage not to sell, alienate nor pawn the said Town, Citadel or Castle, to any Princes or other private Persons; and that he shall not put therein, nor settle there any other Garison but of his own Forces: As also to grant to his said Catholick Majesty, whensoever he shall have need of it, the passage for his Forces, either thro' the said Town, or thro' the State of *Juliers*: his said Majesty paying at his own charges the expence of the Passage of the said Force which shall be regulated Journys and reasonable March and shall not sojourn in the Land; the said Duke taking on such occasions, the necessary precautions for the safety

the said Town and Citadel. And in case the said Duke should fail, in the performance of what he shall oblige himself to, as well of not alienating the same, as not of putting any other Garrison in the said Place and Citadel, but what is his own; or that he refuses to give passage to his Catholick Majesty's Forces, in paying their Expences; the said Lord the most Christian King doth promise in the word of a King, not to assist the said Duke with Mony or Soldiers, nor in any other manner, by himself or by interpos'd Persons, to uphold the said Contravention; but to the contrary he will lend his own Forces, if need be, for the accomplishing of the Premises.

LXXXIX. It hath been expressly concluded and agreed between the said Plenipotentiarys, That the Reservations contain'd in the 21st and 22^d Articles of the Treaty of *Ver-
vins*, shall have their full and intire effect, and no Explication contrary to their meaning shall be us'd: And that in consequence thereof to the said Lord the most Christian King of *France* and *Navarre*, his Successors and Assigns, are reserv'd, notwithstanding any prescription or space of time that might be alledg'd to the contrary, all the Rights, Actions and Pretensions he conceives to belong to him, because of the said Kingdoms, Countrys and Lordships, or any where else, for any cause whatsoever, whereunto it hath ever been, either by himself, or by his Predecessors, expressly renounc'd, to prosecute the same by an amicable way and of Justice, and not by Arms.

XC. Likewise shall be reserv'd to the said Lord the Catholick King of *Spain*, his Successors and Assigns, notwithstanding any prescription or space of time that might be alledg'd to the contrary, all the Rights, Actions and Pretensions he conceives to belong to him, because of the said Kingdoms, Countrys and Lordships, or any where else, for any cause whatsoever; whereunto it hath never been, either by himself or by the Kings his Predecessors, expressly renounc'd: likewise to prosecute the same by an amicable way and of Justice, and not by Arms.

XCI. Whereas the said Cardinal *Mazarine*, his most Christian Majesty's Plenipotentiary, hath represented that for the better obtaining of a good Peace, it is necessary that the Duke of *Savoy*, who hath intermeddled in this War, joining his Arms to those of the Crown of *France*, whose Ally he is, should be comprehended in the present Treaty; his most Christian Majesty loving the

Welfare and Preservation of the said Duke as much as his own, because of the Propinquity of Blood and Alliance whereby they are related; and his Catholick Majesty finding it reasonable that the said Duke be comprehended in that Peace, upon the instances and by the interposition of his most Christian Majesty: it hath been concluded and agreed, that for the future there shall be a Cessation of all manner of Acts of Hostility, as well by Sea and other Waters as by Land, between his Catholick Majesty and the said Duke of *Savoy*, their Children, Heirs and Successors, born or to be born, their States, Dominions and Lordships; a Re-establishment of Amity, Navigation and Commerce, and good Correspondency between the Subjects of his said Majesty and the said Duke, without distinction of Places or Persons. And the said Subjects shall be re-establish'd, without difficulty or delay, into the free and peaceable Possession and Enjoyment of all their Goods, Rights, Names, Reasons, Pensions, Actions, Immunities and Privileges of what nature soever, which they possess'd in the Dominions one of the other before the present War, or that might have escheated to them during the same, and which by reason of it may have been seiz'd on; yet so that they shall not pretend or demand any Restitution for the enjoying of the same for the time past, during the War.

XCII. In consequence of the said Peace, and in consideration of the Offices of his most Christian Majesty, the said Lord the Catholick King shall restore to the said Duke of *Savoy* really and indeed the Town, Place and Castle of *Verceil*, and all the Territorys thereof, Appurtenances, Dependences and Annexes; and shall therein demolish nothing, nor damnify the Fortifications that have been made there: but shall restore it in the same condition, as to the Artillery, Ammunitions of War, Victuals, and any other things, as it was when the said *Verceil* was taken by his Catholick Majesty's Arms. And as to the place of *Casco* in the *Langs*, it shall likewise be restor'd to the said Duke of *Savoy*, in the same state it is now, with the Dependences and Annexes.

XCIII. As for the Dower of the late most Serene *Infanta Catherina*, about which there hath been some difference betwixt the Houses of *Savoy* and of *Modena* Catholick Majesty doth promise and engage, to see actively paid to the Duke of *Savoy* the Arrears that are due to his House, since the said Dower was appointed,

the 17th of *December* in the year 1620. at which time the late Duke *Charles Emanuel* of *Savoy* gave in appenage the said Dower to the late Prince *Philbert* his Son, as it shall be verifys'd by the date, out of the Books of the Royal Chamber of the Kingdom of *Naples*. And for the Payment, for the future, of the Current of the said Dower, and other Arrears, what is further dispos'd about it hereafter by another Article of the present Treaty, shall be follow'd.

XCIV. And because the Divisions, or contrary Pretensions of the Houses of *Savoy* and *Mantua*, have several times caus'd some Troubles in *Italy*, because of the Assistance the said Lords and Kings have at divers times given, each of them to his Ally; that for the future no subject or pretence may be left, that might afresh alter the good Intelligence and Amity of their Majestys, it hath been concluded and agreed, for the good of the Peace, that the Treatys made at *Querasque* in the year 1632. about the differences of the said Houses of *Savoy* and *Mantua*, shall be executed according to their form and tenor. And his Catholick Majesty doth promise and engage his Royal Word never to oppose, nor in any wise to do any thing contrary to the said Treaty, nor to the Execution thereof, for any reason, action, or pretence whatsoever; and not to give any assistance or favour, directly or indirectly, in any manner whatsoever, to any Prince that shall offer to infringe the said Treatys of *Querasque*; whereof his most Christian Majesty shall have power to maintain the Observation and Execution of it by his Authority, and if need be with his Arms. And his most Catholick Majesty shall not have power to make use of his own to hinder it, any thing of the third Article of the present Treaty (whereunto it is expressly derogated this present Article, only for that regard) contrary thereunto notwithstanding.

XCV. Whereas the difference remaining betwixt the said Duke of *Savoy* and the Duke of *Mantua*, about the Dower of the late Princess *Margaret* of *Savoy*, Grandmother to the said Duke of *Mantua*, could not be compos'd in several Conferences had by the Commissioners of the said Dukes about the same, both in *Italy* and in this place, before the Plenipotentiarys of their Majestys, because of the too great distance of the one, and the exceptions of the other; that they could not agree before the conclusion of the said Peace, which ought not to have been retarded because of

that Interest only: It hath been concluded and agreed, that the said Lords shall cause their Commissioners to meet in *Italy*, within thirty days after the subscribing of this Treaty, and hence if it may be at such a Place as shall be agreed on between the Duke of *Modena*, and in his absence between the Ambassadors of the most Christian King residing in *Piedmont* and the Count of *Fuenfaldano*, or in such manner as they shall think most fit: To the end, that with the Intervention of the Ministers of both the Lords and Kings, which may happen to contribute much for facilitating and carrying on of that Accommodation, they might attend the Composition of that difference; so that within other forty days, after their first meeting, the said Accommodation may be concluded, and the Partys may agree about the Sum that is due. And in case that new Conference do not produce the intended effect before the Spring, then both the Plenipotentiarys of the two Lords and Kings shall meet again together upon this same Frontier of both the Kingdoms. And then their Majestys having been acquainted by their Ministers of the Reasons on both sides, and of the Expedients propounded to them, shall make choice of that which they shall judge to be just and reasonable, to mediate the Accommodation of that business in an amicable way; so that the said Dukes might and be oblig'd to remain satisfy'd on both sides. And their said Majestys shall concur afterwards unanimously to procure that their Determinations may be executed, so that nothing might remain which may alter the publick Tranquillity of *Italy*.

XCVI. And because since the Death of the Duke of *Modena*, which happen'd in *Piedmont* the last year 1658, his Catholick Majesty has been inform'd by his Ministers in *Italy*, that the Duke of *Modena* his Successor hath shew'd his pleasure for the things happen'd during this War, and to have a firm intention to give satisfaction to his said Majesty concerning his Person and his Actions, and to merit by his Conduct his Royal Good-will; the said Duke having made for that end divers offers to the Count of *Fuenfaldano*, Governor and Captain-General in the State of *Milan*: Upon this consideration, and of the Lord the most Christian King's interposition, his Catholick Majesty doth from henceforth receive into his Grace the Person and the

of the said Duke, who shall for the future live and pr

in a good and free Neutrality with the two Crowns.

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France and *Spain*, and his Subjects shall have Power to have and to hold a free Commerce within the Dominions of both the Crowns : And the said Duke and his Subjects shall enjoy such Rents and Graces as they have obtain'd, or hereafter may obtain of their Majestys, as they wonted to enjoy them, without difficulty, before the taking up of Arms.

XCVII. Likewise his Catholick Majesty hath consented and granted never to send any more into the place of *Correggio*, the Garison he us'd to have there for the time past ; so that the possession of the said place of *Correggio* shall remain free of the said Garison ; and even for a greater Security and Advantage of the said Duke, his Catholick Majesty doth promise to make most pressing Offers towards the Emperor, that he may be pleas'd to grant unto the said Duke to his satisfaction, the Investiture of the aforesaid Dominion of *Correggio*, as the Princes of the said *Correggio* formerly had it.

XCVIII. As to the Dower of the most Serene Infanta *Catherina*, assign'd upon the Customs of *Foja* in the Kingdom of *Naples*, of 48000 Ducats of yearly Revenue, or such other quantity as shall appear by the Books of the Royal Chamber of that Kingdom ; about which Dower there is some difference betwixt the Duke of *Savoy* and the Duke of *Modena*, his Catholick Majesty acknowledging without any difficulty, that he oweth the same, and having intention to pay it to any of the said Dukes, to whom the Propriety of the said Dower shall be adjudg'd by Justice, or by any particular Convention or Agreement made between them : it hath been concluded and agreed, That his said Catholick Majesty shall forthwith settle all things concerning the said Dower, in the same state they were, when the payment of the said Dower began to cease to be paid, upon the occasion of the taking up of Arms ; that is to say, if at that time the Monys of the said Dower were sequestred, they shall continue so still for the future, until the Differences betwixt the said Dukes be ended, either by a definitive Judgment of Justice, or by a mutual Agreement between them. And if at the aforesaid time, the late Duke of *Modena* was in possession of the same Dower, and the Monys thereof not sequestred, his Majesty shall continue, from this time, to pay unto the Duke of *Modena* his Son, both the Arrears that shall be found to be due for the time past, and what shall run for

the future, of the Revenue of the said Dower; yet deducting from the Arrears all the enjoyment of it during the time the House of *Modena* hath been in Arms against the State of *Milan*. In that last case, shall, in the mean while, remain to the said Duke of *Savoy*, all Reasons, Actions and Rights to prosecute the same in Justice, and cause it to be declar'd, to whom doth the Propriety of the said Dower belong. After which Judgment or Particular Convention, that may intervene between the said Dukes, his Catholick Majesty shall pay, without difficulty, the Revenue of the said Dower, to such of them to whom the same shall be found to belong by a definitive Sentence of Justice, or by an Accommodation made between the said Dukes of *Savoy* and *Modena*.

XCIX. And because the said Lords and Kings have consider'd, that the differences of the other Princes, their Friends and Adherents, have often drawn them, against their Wills, and the Kings their Predecessors of glorious memory, to the taking up of Arms; their Majestys desiring as much as in them lies, to remove, by the present Peace, in all places, the least occasions of Dissension, the better to secure the continuation thereof, and chiefly to settle the Tranquillity of *Italy*, so often troubled by the particular differences happen'd between the Princes who do possess any Dominions there; the two Lords and Kings have concluded and agreed, that they will jointly interpose, sincerely and pressingly, their Offices and Supplications towards our Holy Father the Pope, until they may have obtain'd of his Holiness that he might be pleas'd to cause the difference to be ended without delay, either by an Agreement or by Justice, which the Duke of *Modena* hath had so long since with the Apostolical Chamber, touching the Propriety and Possession of the Valleys of *Comacchio*: The said Kings and Lords hoping of the Sovereign Equity of his Holiness, that he will not refuse the just satisfaction that shall be due to a Prince, whose Ancestors have so well deserv'd of the holy See, and who, in a most considerable Interest, hath hitherto consented to take even his own Adversarys Partys for Judges.

C. The two Lords and Kings, upon the like consideration of plucking up the seeds of all Differences that might trouble the Peace of *Italy*, have also concluded, that they will jointly interpose, sincerely and pressingly, their Offices and Supplications towards our Holy Father the Pope,
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 until

until they may have obtain'd of his Holiness the Grace which their Majestys have so often demanded of him singly, in the behalf of the Duke of *Parma*, that he may have power to discharge, at several convenient Intervals of time, the Debt he hath contracted to the Apostolical Chamber by like intervals; and that by that means, and with the engaging or alienating of part of his Dominions of *Castro* and *Roneiglione*, he may find such Monys as are necessary to him for the preservation of the rest of his Dominions. The which their Majestys do hope of the Goodness of his Holiness; no less by the desire he will have to prevent all occasions of discord in *Christendom*, than by his disposition to favour a House so well meriting of the Holy Apostolical See.

CI. The said Lords and Kings judging that they cannot better acknowledg towards God the Grace they have receiv'd of his mere Sovereign Bounty, who hath inspir'd them with the desire, and open'd them the means of reconciling themselves, and granting Peace to their People, than by applying themselves, and endeavouring with all their power to procure and preserve the like Tranquillity unto all other Christian States, whose Peace is either troubled, or like to be suddenly alter'd; their Majestys seeing, with a great Grief, the present Disposition of *Germany*, and of other *Northern* Countrys, where the War is kindled, and may yet inflame the Empire, by the division of the Princes and States thereof, have concluded, agreed and resolv'd, to send without delay their Ambassadors, or cause those they have already in the Empire, jointly to act for the managing, in their name, and by their interposition, a good and speedy accommodation, both of all differences that may trouble the Peace of the Empire, and of such as some years since have caus'd the War in the other parts of the *North*.

CII. And because Informations have been had, that notwithstanding the Accommodation made some Years since, of the Divisions happen'd then betwixt the Cantons of the Leagues of *Switzerland*, Catholicks and Protestants, there remain yet under the Ashes some Sparks of that Fire, that might, if not wholly quench'd, take fire again, and cause new Troubles and Dissensions betwixt those People ally'd with both the Crowns: the two Lords and Kings have judg'd it necessary to apply themselves on this part to the prevention of that danger, as much as in them shall lie,
before

before things grow worse: And therefore it hath been agreed and concluded between their Majestys, that they shall send, upon that occasion, some particular Ministers every one of them to the Cantons of his Alliance (unless they judge those they have there in ordinary to be sufficient for the end they have propos'd unto themselves) with orders, when they have exactly inform'd themselves of the Motives and Causes which have occasion'd the Misunderstanding and Disunion of the said Nation, to meet and endeavour jointly and uniformly, to procure there a good Concord, and cause all things there to return to the Peace, Quietness and Fraternity, wherewith the said Cantons were wonted to live formerly; acquainting their Superiors with the satisfaction their Majestys will receive by it, because of the Affection they bear to their States, and how much that establishment of Union will be pleasing to them, because of the great desire they have for their Welfare and publick Tranquillity.

CIII. The Differences happen'd in the Countrys of the *Grisons* about the *Valtoline*, having several times oblig'd both the Kings and several other Princes to take up Arms; to avoid, lest for the future, they might alter the good intelligence of their Majestys, it hath been agreed, that within six months after the publication of the present Treaty, and after information had, on both sides, of the intention of the *Grisons*, touching the Observation of the Treatys heretofore made, it shall be agreed, in an amicable way, between the two Crowns, of all the Interests they have in that Affair: And that for that end each of the said Lords and Kings shall give sufficient power to treat of it, to such Ambassadors as he will send to the Court of the other after the publication of the Peace.

CIV. The Prince of *Monaco* shall be restor'd, without delay, to the peaceable possession of all the Goods, Rights and Revenues belonging unto him, and which he enjoy'd before the War, in the Kingdom of *Naples*, Duchy of *Milan*, and other Places under the Obedience of his Catholick Majesty; with liberty to alienate the same as he shall please, by Sale, Donation, or otherwise: and shall not be troubled nor molested in the enjoyment thereof, for having put himself under the protection of the Crown of *France*, nor for any other subject or pretence whatsoever.

CV. It hath been likewise agreed and concluded, that his Catholick Majesty shall pay ready Money to the Lady
Dutchess

Dutchess of *Chevreuse* the sum of 55000 *Philippuses*, each of ten Reals, amounting to 165000 *Livres French Money*; and that for the Price of the Lands and Lordships of *Kerpin* and *Lommersein*, with the Aids and Dependences of the said Lands, the said Dutchess had purchas'd of his Catholick Majesty, according to his said Majesty's Letters Patent of the second of *June* 1646. Out of which Lands and Lordships, the said Lady hath since been turn'd by his Catholick Majesty's Ministers, because of the present War, and his said Majesty hath dispos'd of them in the behalf of the Elector of *Cologne*: And the said Payment of 55000 *Philippuses*, each of ten Reals, shall be made by his said Catholick Majesty unto the said Lady of *Chevreuse*, by the two Terms; the first within six months from the day of the date of these Presents, and the rest six months after, so that in a year's time they may have receiv'd the whole Sum.

CVI. All Prisoners of War, of what Nation or Condition soever, being detain'd on either side, shall be set at liberty, in paying their Expences, and what they may otherwise owe; but without paying any Ransom, unless they have agreed before otherwise: in which case the Treatys made by them before this day, shall be executed according to their form and sense.

CVII. All other Prisoners and Subjects of the said Lords and Kings, who by the calamity of the Wars might happen to be detain'd in their Majestys Gallies, shall be speedily deliver'd and set at liberty, without any delay, for any cause or occasion whatsoever, and without demanding any thing for their Ransom, or for their Expences. As also shall be set at liberty, after the same manner, all *French* Soldiers that shall be found to be detain'd Prisoners in the Places held by his Catholick Majesty upon the Coasts of *Africa*, without demanding of them, as aforesaid, any thing for their Ransom or Expences.

CVIII. Provided all the Premises be duly observ'd, it hath been concluded and agreed, That the Treaty made at *Vervins* in the year 1568. is again confirm'd and approv'd by the said Plenipotentiaries in all its Points, as if the same was here inserted word for word, and without innovating any thing therein, nor in any of the other former Treatys, which shall remain in their full force, in whatsoever it is not derogated unto by this present Treaty.

CIX. And as touching the things contain'd in the afore-said Treaty of 1598. and in a former made in the year 1559. which have not been executed according to the tenor of the said Treatys, the execution shall be made and perform'd, in such things as are yet unperform'd: And for that end Commissioners shall be appointed on both sides, within two months, with sufficient power to agree together, within the space that shall be mutually agreed on, concerning all things to be yet executed, either touching the Interests of the said Lords and Kings, or the Interests of the Commonaltys and private Persons, their Subjects, who shall have any thing to demand, or complaint to make on either side.

CX. The said Commissioners shall likewise have care, by virtue of their powers, to regulate the limits, as well between the Dominions and Countrys that of old have belong'd to the said Lords and Kings, about which there have been some Debates, as between the Dominions and Lordships that are to remain to each of them, by the present Treaty, in the *Low Countrys*. And particularly a Separation shall be made by the said Commissioners of the Chastellanys and other Lands and Lordships that are to remain to the said Lord the most Christian King, from such Chastellanys, Lands and Lordships as are to remain to the said Lord the Catholick King; so that hereafter there may arise no dispute about the same, and that the Inhabitants and Subjects on both sides might not be disturb'd. And in case they cannot agree touching the Contents of the present Article, and of the next foregoing, Arbitrators shall be appointed by common Consent, who shall take cognizance of whatsoever shall remain undecided between the said Commissioners; and the Judgments that shall be render'd by the said Arbitrators, shall be executed on both sides without any delay or difficulty.

CXI. For the Satisfaction and Payment of what may be due on both sides for the ransom of the Prisoners of War, and for such Expences as they may have made during their Imprisonment, since the beginning of the War until the day of the present Peace, in conformity to the Treatys made for the exchanging of the said Prisoners, and namely that of 1646. made at *Soissons*, the Marquis of *Castel Rodrigo* being Governor of the *Low Countrys*; it hath been concluded and agreed, that the Expences of such Prisoners as have been already releas'd, or are to be releas'd without ransom by virtue of the present Peace, shall be presently paid,

paid, ready Money on both sides; and that as to the other Prisoners that have been releas'd by virtue of the particular Treatys of Exchange made during the War, and before the present Treaty, Commissioners shall be appointed on both sides, within a month of the Exchange of the Ratifications of the present Treaty, who shall meet at such Place as shall be agreed on towards *Flanders*, whither also the Accounts concerning the Prisoners made in the Kingdom of *Naples* and *Sicily*, and their Dependences, in the State of *Milan* and in *Piedmont*, in the Principality of *Catalonia*, and in the Countys of *Roussillon* and *Cerdana*, and other Places of *Spain*, besides what concerns the Frontiers between *France* and the *Low Countrys*, shall be carry'd: And the said Accounts being stated by them, both for their Expences for Diet, and for this Ransom, after the manner practis'd in other Treatys of that nature, the Lord and King who shall be found Debtor to the other by the stating of the said Accounts, doth oblige himself to pay in ready Money, *bonâ fide*, and without delay, unto the other of the said Lords and Kings, the Sums whereof he shall remain Debtor to him, for the Expences and Ransoms of the said Prisoners at War.

CXII. As it might well happen that the particular Persons interested on both sides, in the restitution of the Goods, into the Propriety and Enjoyment whereof they ought to re-enter by virtue of the present Treaty, shou'd find under divers Pretences, Difficultys and Resistance in their Re-establishment by such as are now in possession of the said Goods, or that any other Obstructions shou'd arise in the full execution of the Premises; it hath been concluded and agreed, that the said Lords and Kings shall appoint each of them one of their Ministers to repair to the Court of the other, and other Places if need be, to the end that hearing jointly, at the place where the said Ministers shall meet, such Persons as shall apply themselves to them about those Affairs, and taking cognizance of the Contents of the Articles of the Treaty, and of what the said Partys shall offer unto them, they might declare together unanimously, briefly and summarily, without any other formality of Justice, what ought to be executed, issuing thereupon the necessary Act and Instrument of their Declaration; which Act shall be perform'd without admitting or leaving any room to any Contradiction or Reply.

CXIII. The execution of the present Peace, in what regardeth the restitution and surrendring of the Places which the said Lords and Kings are to restore and put in the hands one of the other respectively, or of their Allys, by virtue of, and in conformity to this Treaty, shall be made at the time, and after the following manner.

CXIV. First, without staying for the exchange of the Ratifications of the present Treaty, to the end the Forces which make up the Army of the most Christian King, and the Garisons of the Places he holdeth in *Italy*, might repass the *Alps* before the Ice doth shut up the Passages, both the said Plenipotentiarys have concluded and agreed, That they take upon themselves to have the Orders of their Majestys respectively, forthwith sent by Expresses unto the Duke of *Noailles*, and the Count of *Fuensaldana*, as also to the Marquis of *Caracene*, for what concerneth him, to make, upon the thirtieth of the instant *November*; the following Restitutions; *viz.* Upon that day shall be restor'd by the Lord the most Christian King unto his Catholick Majesty, the Places of *Valence* upon the *Po*, and of *Mortara* in the State of *Milan*: As likewise upon the same thirtieth day of *November*, shall be restor'd by the Lord the Catholick King unto the Duke of *Savoy*, the Place and Citadel of *Vercel* in *Piedmont*; and towards the *Low Country*s, unto his most Christian Majesty, the Place of *Chastelet*; the said Lords and Plenipotentiarys having taken upon themselves, by virtue of the particular Orders they have from their Majestys for that purpose, the punctual execution of that Article, before the exchange of the Ratifications of the present Treaty as aforesaid,

CXV. The exchange of the Ratifications being made within the day that hereafter shall be nam'd, on the twenty seventh day of *December* of this present year, shall be restor'd, by the said Lord the most Christian King, unto his Catholick Majesty the Places of *Audenard*, *Marville*, *Menin*, and *Comines* upon the River *Lys*, *Dixmude* and *Furnes*, with the Posts of *La Fintille* and *La Quenouque*: As also, upon the same 27th day of *December*, shall be restor'd by the said Lord the Catholick King, unto his most Christian Majesty, the Places of *Rocroy* and *Linchamp*.

CXVI. Eight days after, which will be the fourth of *January* of the next year 1666, shall be restor'd by the said Lord the most Christian King, unto his Catholick Majesty, the Places of *Ipres*, *La Bassée*, *Bergh St. Wynox*, and the

Fort Royal thereof; and all the Posts, Towns and Castles, taken by the *French* Arms in the Principality of *Catalonia*, except *Roses*, *Fort of the Trinity*, and *Cape de Quiers*: as likewise upon the same fourth day of *January*, shall be restor'd by the said Lord the Catholick King, and put into the hands and in the power of his most Christian Majesty, the Places of *Hesdin*, *Philippeville*, and *Marientburg*.

CXVII. After the Prince of *Conde* hath render'd his respects to the most Christian King his Sovereign Lord, and is settled again into the Honours of his Grace, the Places of *Avennes* and *Juliers* shall be, by the Lord the Catholick King put into the hands and in the power of his most Christian Majesty and of the Duke of *Nemburg*. And the same day, the said Lord the most Christian King shall restore unto his Catholick Majesty, the Posts, Towns, Forts and Castles taken by the *French* in the County of *Burgundy*, after the manner, and at the time more particularly agreed upon by their said Majestys.

CXVIII. Upon supposition and condition that the said Commissioners, that are to be appointed to declare the Places that ought to belong to each of the said Lords and Kings, in the Countys and Viquerys of *Conflans* and *Cerdana*, shall have before concluded and unanimously made the Declaration that is to regulate for the future the Limits of both Kingdoms; as also, when all the aforesaid Restitutions are made and punctually perform'd, his most Christian Majesty shall restore upon the fifth of *May* of the next year 1660. unto his Catholick Majesty, the Places and Posts of *Roses*, the *Fort of the Trinity*, and *Cape de Quiers*, upon the conditions more particularly agreed on by their Majestys.

CXIX. It hath likewise been concluded and agreed, that in the Exchange that shall be made of *La Bassée*, and *Bergh St. Wynox*, and its Royal Fort, with *Philippeville* and *Marientburg*, there shall be left in the said Places as much Artillery, both in number, and of the same weight and quality, as well in the one as in the other; as also as much Ammunition of War of all sorts, and Victuals, as the Commissioners appointed on both sides shall agree *bonâ fide*, and shall see it perform'd: So that what shall be found over and above, as well in the one as in the other, may be taken out of the said Places, and transported any where else, where the Lord and King shall please, to whom that greater quantity of the things aforesaid shall be found to belong.

The Duke of Savoy, the Duke of Modena, the Duke of Mantua, and the Kings of France, are some of the said Contractors in this Treaty, as aforesaid; by the common consent of the said Lords the most Christian and Catholic, shall be comprehended in this Peace and Alliance, if they will be comprehended therein, on his most Christian Majesty's part, first, Our Holy Father the Pope, the Holy Apostollical See, the Electors and other Princes of the Empire, Allies and Confederates with his Majesty for maintaining of the Peace of *Munster*, viz. the Duke of Brandenburg, Cologne, and the Count Palatine Arch-Bishop, the Duke of Nemburg, the Dukes *Augustus* and *Casimir*, and George Duke of Brunswick and Lüneburg, the Archbishop of Mentz, and the Landgrave of Hesse, the Duke and the Signory of Venice, and the Republicke of Genoa, the League of Switzerland, and all other Christianities, and all other Kings, Potentates, Princes, Bishops, Counts, Barons, and particular Persons, so

whom his most Christian Majesty, upon a decent request made by them for it, will grant on his part, to be comprehended in this Treaty, and will name them, within a Year after the publication of the Peace, to his Catholick Majesty by a particular Declaration, to enjoy the benefit of the said Peace, both by the before-nam'd, and by such as his Majesty shall name within the said time. Their Majestys giving their Declaratory and Obligatory Letters, requir'd in such case respectively; and the whole with an express Declaration, that the said Catholick King shall not have power, directly nor indirectly, to molest, by himself or by others, any of those who on the said Lord the most Christian King's part, have been above, or hereafter shall be comprehended by a particular Declaration: And that if the Lord the Catholick King hath any Pretensions against him, he shall only have power to prosecute him by Right, before competent Judges, and not by Force, in what manner soever it may be.

CXXIII. And on the said Lord the Catholick King's part, shall be comprehended in this Treaty (if they will therein be comprehended) our holy Father the Pope, the Apostolical See, the Emperor of the *Romans*, all the Archdukes of *Austria*, and all the Kings, Princes, Republicks, States and particular Persons, who as Allys of this Crown, were nam'd in the Treaty of Peace made at *Vervins*, 1598. and who shall have preserv'd, and do at this day preserve themselves in that Alliance. To whom are added now the United Provinces of the *Low-Countrys*, and the Duke of *Guastalla*; as also shall be comprehended all such others, as by common consent of the said Lords and Kings, shall be nam'd within a year after the Publication of the present Treaty; to whom, as also to the aforenam'd, if they desire it in particular, Letters of Nomination respectively Obligatory shall be given to enjoy the benefit of the said Peace, and with express Declaration, That the said Lord the most Christian King shall not have power, directly nor indirectly, by himself, or by others, to molest any of them: And if he hath any Pretensions against them, he shall have power only to prosecute them by Right before competent Judges, and not by Force.

CXXIV. And for greater security of this Treaty of Peace, and of all the Points and Articles therein contain'd; the said Treaty shall be publish'd, ratify'd and registred in the Court of the Parliament of *Paris*, and in all the other

Parliaments of the Kingdom of *France*, and in the Chamber of Accounts in the said *Paris*: As likewise the said Treaty shall be ratify'd, publish'd and registred as well in the Grand Council, and other Councils and Chambers of Accounts of the said Lord the Catholick King, in the *Low-Countrys*, as in the other Councils of the Crowns of *Castile* and *Aragon*, according to, and after the manner contain'd in the Treaty of *Vervins*, of the Year 1598. whereof the Ratifications shall be deliver'd on both sides, within three Months after the Publication of the present Treaty.

Which Points and Articles before set down, together with the whole Contents of any of them, have been treated, granted, pass'd and stipulated between the aforesaid Plenipotentiarys of the said Lords the most Christian and Catholick King, in the name of their Majestys. Which Plenipotentiarys, by virtue of their power, have promis'd and do promise under the Obligation of all and every the Goods and Estates, present or to come, of the Kings their Majestys, That the same shall be by their Majestys inviolably observ'd and perform'd, and to cause them to ratify the same meerly and singly, without adding any thing thereunto; and to give and deliver reciprocally one to the other, authentical and seal'd Letters, wherein the whole present Treaty shall be word for word insert'd; and that within thirty Days from the Day and Date of these Presents, and sooner if it may be. Besides, the said Plenipotentiarys have promis'd and do promise, in the Names aforesaid, That the said Letters of Ratification, being exchange'd and furnish'd, the said most Christian King, as soon as it may be, and in the presence of such Person or Persons as the said Lord the Catholick King shall be pleas'd to appoint, shall solemnly swear upon the Cross, the holy Evangelists, the Canons of the Mass, and upon his Honour, to observe and perform fully, really and *bonâ fide*, the whole Contents of the Article of the present Treaty. And the like shall be done also, as soon as possibly may be, by the said Lord the Catholick King, in the presence of such Person or Persons as the said Lord the most Christian King shall be pleas'd to appoint. In witness whereof the said Plenipotentiarys have subscrib'd the present Treaty with their Names, and set the Seals of their Coat of Arms thereunto.

We;

having the aforesaid Treaty acceptable, in all and the Points and Articles therein contain'd and declar'd, both for us and for our Heirs, Successors, Kingdoms, rys, Lands, Lordships and Subjects, accepted, approved, ratify'd and confirm'd, and do accept, approve, and confirm the same; and do promise in the Faith of a King, and under the Obligation and Engagement of all and every our Goods, present and to come, truly to keep, observe and maintain the whole, without doing any thing contrary thereunto, directly nor indirectly, in what sort and manner soever. In witness of, We have sign'd these Presents with our Hand, whereunto caus'd our Seal to be affix'd. Given at Towne four and twentieth of *November*, 1659. and of our the Seventeenth.

*An Agreement between the Commissioners
on the part of France and Spain, con-
cerning the Execution of the XLII.
Article of the Treaty of the Pyrenees,
in reference to the three and thirty
Villages in the County of Cerdagne,
which ought to remain in the Posses-
sion of the King of France, Novemb.
12th 1660.*

WE *Hiacynth Serroni*, Bishop of *Orange*, Counsellor of
State to his most Christian Majesty, and Don
Michael de Calba and *de Vallgornera*, Knight of
the Order of *St. James*, Counsellor to his sacred Majesty
in his Sovereign Council for the Kingdoms of *Aragon*, be-
ing the Commissioners deputed by their most Christian
and Catholick Majestys, for executing the last Article con-
cluded and sign'd by the Plenipotentiarys of *France* and
Spain, in the *Isle of Pheasants*, on the 31st of *May*, 1660.

After we had communicated our Powers to one another,
and reciprocally deliver'd Copys of them, there were sever-
al Conferences held in the *Cerdagne*, upon account of the
said last Article of the *Pyrenean Treaty*; but after we had
examin'd all the Reasons, both on the one side and on the
other, seen and observ'd all the said Villages and their
Bounds, we have resolv'd and determin'd, that the Thirty-
three Villages of the *Cerdagne*, which ought to remain in
the Possession of his most Christian Majesty, are these that
follow :

Carol to be two of them, comprehending therein its
whole Valley, and all the Places contain'd in the same.

Enveig for two more, comprehending therein all its
Hills and Mountains, and the whole extent of its Juris-
diction, with all the Places depending thereon.

Or

Ur and *Flori* for one, *Villeneuve* and *Escaldus* for one; *D'Arras*, *Augustrina*, *Targasone*, *Palmaria*, *Egar*, *Odillo*, *Via*, *Bolqueras*, *Vilar de Ovanza*, *Estarar*, *Bajanda*, *Sallagosa*, *Ro*, *Vedrinians*, *la Perxa*, *Ruet*, *Llo*, *Egna*, *St. Pere del Forgas*, for nineteen; *St. Leocadia* and *Lus* for one, and *Planes* for two; *Caldegal* and *Onzel* for one; *Navia*, *Oseja*, *Palau* and *Iz*, for four.

All these Villages, with their Jurisdictions, Limits and Dependences, shall continue in the Possession of his most Christian Majesty. And because the Territory of *Iz* lies on the other side of the River *Regan*, which comes from *Ur*; we the Commissioners deputed by both Partys have declar'd, and do declare, That tho, as to the other Villages of *France* and *Spain*, the Division ought to be made by their Limits and Jurisdictions; yet, as to the other Village of *Iz* in particular, the Separation of *France* from *Spain* shall be made by the said River, as following always its natural course till you come to the Territory of *Aye*, which belongs to *Spain*; inso much, that one half of that River, and half of the Bridge commonly call'd *Livia Bridge*, shall belong to *Spain*, that is to say, that half that lies toward *Puyserda*; and the other half shall belong to *France*, viz. that which is toward *Livia*, or the *Col de Perxa*: without pretending by this Division to separate the said Territory from the Village of *Iz*, as to Point of Domain, Proprietys, Fruits, Pasturages, or any thing else appertaining thereto: this Separation being meant of no other than that of *France* and *Spain*, and not of the Domain, and particular Propriety of the said Territory, which shall always belong to the Village of *Iz*.

As to *Livia* and its Bayliwick, we who are the Commissioners deputed on this occasion do declare, That it shall intirely remain in the Possession of his Catholick Majesty, but upon condition that he shall never fortify *Livia*, nor any other Place or Post in that Bayliwick or Territory: And the *Spanish* Commissioner doth particularly and expressly oblige himself, on the behalf of his said Catholick Majesty, to get this Convention and Agreement ratify'd, viz. that they neither must fortify *Livia*, nor any other Place or Post in the said Bayliwick and Territory; and 'tis upon this condition only that the *French* Commissioner gives his consent, that *Livia* and its Bayliwick shall continue in the hands of his Catholick Majesty. And forasmuch as it may happen, that in Peoples Passage from *Livia* to

Puyserda, or from *Puyserda* to *Livia*, or from any of the Villages belonging to his most Christian Majesty, to any of those that appertain to his Catholick Majesty, they must go thro' the Bounds of *Livia* or *Puyserda*, or thro' the Bounds of some other Villages of *France*; We the Commissioners do declare, That all sorts of Merchandizes or Wares that are carry'd thro' the said Limits, along the King's High-way, from *Livia* to *Puyserda*, or from *Puyserda* to *Livia*, or from any Village of *Spain* to another in *France*, shall pay no Custom to the *French* Officers, nor any other Customers or Farmers, nor indeed to any other Receivers of Dutys in both Kingdoms; declaring besides, that the said Royal Ways and Roads which may be us'd in going from *Livia* to *Puyserda*, and from *Puyserda* to *Livia*, or from any *French* to any *Spanish* Village, shall be free to the Subjects of both Kingdoms, so as that neither of them respectively ought to be molested in the said Passage by the Ministers or Officers of either Kingdom, under any pretence whatsoever: But nevertheless, we are not to underitand that this liberty of Passage shall be made use of for an impunity of such Crimes as may be committed on the said Roads; forasmuch as that the taking and punishing of the Criminals, shall belong to those that possess the Territory of the said Passages, where the Crimes have been committed. And to the end that what has been here agreed on, may be plain, and perform'd with all possible Exactness, We the Commissioners appointed on this occasion have resolv'd, two Copys shall be made of this Writing, the one in *French*, and the other in *Spanish*: That the *French* Copy being sign'd by us the Bishop of *Orange*, and counter-sign'd by our Secretary, shall be deliver'd to the *Spanish* Commissioners; and that the *Spanish* Copy, sign'd by the Commissioner of *Spain*, and counter-sign'd by his Secretary, shall remain in our Hands. Done and concluded at *Livia*, Nov. 12th, in the Year 1660. Sign'd, *Hyacinth Serroni*, Bishop of *Orange*, and *Don Miquel de Calba* and *Valgornera*.

An Act of Renunciation, made the Second of June, 1660. at Fontarabia, by the Lady Maria Theresa, Infanta of Spain, promis'd in Marriage to the French King, as well in regard to what might lawfully belong to her, as to the whole Inheritance of the Catholick King her Father.

TH E Lady *Maria Theresa*, Infanta of both the *Spains*, and by the Grace of God future Queen of *France*, the eldest Daughter of the most High, most Excellent, and most Potent Prince, *Philip the Fourth*, Catholick King of the *Spains*; and of the most High, most Excellent, and most Puissant Princess, *Isabella*, Catholick Queen, who is in Glory: Be it known and manifest by this Instrument, and Act of Renunciation, and the rest contain'd therein, to all those to whose knowledge it may come, be it in what manner it will; That by the, Second and Fourth Articles of the Treaty of my Marriage, as promis'd to the most High, most Excellent, and most Potent Prince, *Lewis XIV.* the most Christian King of *France*, which was concluded in the *Isle of Pheasants*, in the River of *Bidassoa*, the Boundary of the Province of *Guipuscoa*, and the Confines of these Kingdoms with that of *France*, on the 7th of *Nov.* in the Year 1659. It hath been resolv'd and concluded on, that the King my Lord (for and in Consideration of this Marriage, and to the end that I may have my Portion, and my own Effects with me) hath promis'd to give me Five Hundred Thousand Crowns in Gold, which should be paid and deliver'd at the place, and at such times as specify'd in the said Article, to the most Christian King, or the Person authoriz'd by him; and that I ought to be content with that, and hold myself satisfy'd, for all or whatever Rights to, and Pretensions that do or may for

the present or future appertain to me, upon the Goods and Inheritance of the most Serene Queen *Isabella* my Mother, and the future Succession to the King my Lord (whom God preserve) and every thing that might belong and appertain to me, as a Daughter and Heir of their Catholick Majestys, and for their Right and Sovereignty, and any other Title whatsoever, thought or unthought of, known or unknown, as well for the paternal as maternal, direct or collateral Line, mediately and immediately, and which before the Celebration of the Marriage, in direct Words, I should yield and renounce all my Rights and Pretensions to the King my Lord, and those authoriz'd by him, in such manner as his Majesty shall think fit and most agreeable, according as 'tis more particularly stipulated and declar'd in the Second and Fourth Articles, which I have read and heard read several times, before I gave my consent to the Contents of this Instrument, which I am willing should be inserted, and put in Letter for Letter, and Word for Word; the Tenor of which here follows:

II. That his Catholick Majesty does promise and oblige himself to give, and that he will give to the most Serena Infanta *Maria Theresa*, for her Marriage Portion to the most Christian King of *France*, and will pay to his most Christian Majesty, or to those authoriz'd or commission'd by him, Five Hundred thousand Crowns in Gold, call'd *Sun Crowns*, or their just value, in the City of *Paris*; and this Sum shall be paid in the following manner, viz. one third at the time that the Marriage is consummated, another third part at the end of the Year after the said Consummation, and the last third six Months after: Insomuch, that the whole payment of the Five Hundred Thousand *Sun Crowns* of Gold, shall be perform'd in 18 Months time, at the Terms and in such Proportions as are here specify'd.

III. The most Serene Infanta *Maria Theresa*, upon condition that effectual Payment be made to his most Christian Majesty, or to the Person impower'd to receive it, according to his Order, of the said Sum of Five Hundred Thousand Crowns in Gold, or the just value of them at the terms before-mention'd, will be content, and contents herself with the said Portion, without any Reservation of Action of Right to demand, or pretence that any Goods or Rights appertain, or ought to appertain to her, upon the Inheritances of their Catholick Majestys her Parents; whether in reference to their Persons, or any other manner what-

whatsoever, or some other Title known or not known; because she ought to be *excluded of all, be they of what condition, nature or quality they can be*: And before the Betrothings are compleated, she shall make a formal Renunciation of them, with all the Assurances, Stabilitys and Solemnitys that are requisite and necessary; the which she shall do before she is marry'd by exprefs Words; and afterwards she shall approve and ratify the same, in conjunction with the most Christian King, as soon as her Marriage shall be celebrated, with the same Assurances and Solemnitys with which the first Renunciation was done, and such as may seem most proper and needful; to which his most Christian Majesty and her Highness ought, and are oblig'd to be bound from henceforwards: And that in case they do not perform the said Renunciation and Ratification, *they shall be taken for Facts, and things done from that time forward, only by virtue of this Treaty*; the which ought to be done in the most efficacious and proper form that can be, in order to the validity and firmness of them, with all the Clauses, Derogations and Abrogations of all the Laws, Usages, Customs, Arrests and Constitutions whatsoever, that are contrary thereto, or may in part or in the whole obstruct the same; from which for this end *their Catholick and most Christian Majestys ought to derogate*; and 'tis understood they do from this time derogate from the same by their approving of the Present Treaty.

And as by the Grace of God I find myself in the Age of Maturity, being above 20 Years old; and that if it please God, our Marriage is shortly to be completed by exprefs Words; and that I am satisfy'd, appriz'd and inform'd to my intire Satisfaction, of the substance and effect of the Articles, and do and have acknowledg'd, that I could not, out of the future Succession of the King my Lord, and the Inheritance of the most Serene Queen my Mother, reckon that the said Sum of Five Hundred Thousand Crowns belong'd, or in Rigour appertain'd to me, as for my lawful Heritage; and that if the same had belong'd to me, it's a very competent Portion, and the greatest that had hitherto been given to any Infanta of *Spain*, and which the King my Lord has been inclin'd to make so large, in order to gratify me, and in Consideration and Contemplation of the most Christian King's Person, to the end that by the means of this Marriage, the Effects mention'd in the said Treaty of Marriage might be obtain'd, which are of so much Importance

portance for the publick Benefit of *Christendom*, and the Content and Satisfaction of these Kingdoms: Wherefore I do of my certain knowledge, and free will and pleasure, approve and require, that what has been resolv'd on and concluded by the said two Articles, be observ'd and accomplish'd: and that it be understood, that this Marriage ought to be concluded and perfected upon the Conditions therein contain'd and declar'd; and that without such Conditions, it would not have been brought to the pass it's now in; and that from henceforward, I hold my self contented; and that I am entirely and absolutely paid and satisfy'd, as to every thing that appertains or could appertain to me, at present or for the future, in respect to any Right, known or unknown, in the future Succession and Inheritance of their Catholick Majestys my Parents, and upon account of any share in my Father and Mother's Estate, or by way of support or maintenance or Portion, as well in Respect to their free possessions, as those of the Crown of their Kingdoms, Estates and Signiorys; without reserving to my self or mine, any Plaint or Pretension against or upon his Majesty, or his Successors, to demand or pretend that I ought to have a larger Sum, or a Portion of greater value and consideration than the said Five Hundred Thousand Crowns. And my Will is, that this Renunciation shall also extend to any other Rights or Pretensions whatsoever that might belong or appertain to me by Inheritance, or Succession of any Right or Kindred, in a right or a collateral Line by my self or by other Persons, as their Majestys Daughter: *And I abandon and quit all of them, both the one and the other, of what condition, nature, quality, value and importance they may be; and yield, renounce and transfer them to the King my Lord, and his Heirs, universal and singular Successors, that shall have his Right; to the end he may be able to dispose of them as he pleases, and it seems good in his sight, as well by Gifts while alive, as by Legacys in his last Will and Testament, without any Obligation upon his Majesty, to constitute or leave me his Heir or a Legatee, or to make any mention of me: for I do in respect to the things aforesaid declare my self, and that I ought to be held and reputed a Stranger; and as such I ought to have no resource left, so as to have Power to make any Claim, or to prefer any Complaint, notwithstanding the Inheritance his Majesty my Father shall leave, may be of very great and so considerable value and Importance, that*

out of the same there might appertain to me, as one of his Children, as we are at present, or shall be for the future, a much greater Sum than the said Five Hundred Thousand Crowns, *be the same never so great and extraordinary*; And that tho it should so happen (which God forbid) that I should at the time of his Death remain and become *his only Daughter*, by Reason of the death of my Brothers, and other his lawful Descendants before him; and to the end that no Demands may be made nor pretended to for me, or in my name, nor in the Right of my Person, of any other greater share of the Estate and Inheritance of the King my Lord, in any case or upon any account whatsoever, I do promise that I will not consent nor allow at any time nor upon any occasion, under any pretence whatsoever, that any thing shall be done against this my Renunciation, and relinquishing of my said Rights, Claims or Pretensions. And I do withal relinquish and renounce *all and every ordinary and extraordinary Remedys whatsoever*, that do or may appertain to me, by common Course and the Laws of this Kingdom, or special Privilege, and particularly that of *Restitution ad integrum*, grounded upon the defect of my Age, enormous or very enormous damage, by saying the Portion should have been the cause of this Contract, or upon the incertainty of what I renounce; to the end that none of the said Remedies and above-mention'd Resources may or can serve by way of Justice or Suit; neither can they, for my self, my Children and Heirs, be heard and all allow'd of; and we are forbid and hinder'd Access so as to bring on and propose them judicially or extrajudicially, either by way of Grievance, Reserve or simple Complaint; so that those things always, and at all times, are to be observ'd and accomplish'd, that have been settl'd by the said Articles; and what I have promis'd by this Instrument, concerning the Confirmation and Approbation of them, and do promise upon my Royal Word, that they shall be maintain'd, accomplish'd and observ'd, inviolably at all times, under the Obligation and Penalty of my Estate and Revenues I have or shall have. And I do empower his Catholick Majesty's Council, and the Kings his Successors, and the Persons who are intrusted by them with the Execution of this Instrument, that they do, observe and execute the same: and for the greater Validity thereof, I do swear by the holy Gospel contain'd in this Missal, (upon which I place my Right-hand) that I shall
at

at all times, and so far as it shall lye upon me, observe and fulfil the same, without saying or alledging, that in order to do and agree to it, I was introduc'd, drawn in and persuaded, out of the Respect and Veneration which I ought to have and carry towards the King my Lord, who hath kept and does still keep me under his paternal Authority: forasmuch as that I do declare that his Majesty always left me to my free will and choice; which was really so, and no ways relative as to what concerns this Contract. And I do promise to ask for no Dispensation of this Oath, from the Pope and the holy Apostolick See, nor from his Nuncio and Legate *a latere*, nor any other Person, who hath Power or Authority to free me; and if it should come to be ask'd on my Request, or some third Person, or granted me *motu proprio*, I shall not make use of the same, tho it were only to sue at Law, without meddling with the virtue and substance of the said two Articles of Marriage, nor that of this Instrument, which I make to confirm them, notwithstanding any Clauses whatsoever that are derogatory from this Oath. And in case the same be granted to me once or oftner, I shall take other Oaths anew; so that there shall always remain upon Record more Oaths over and above all the said Dispensations. And as for the same, I do declare and promise, that I neither have nor shall make any Protestation nor Reclamation, in publick or secret, contrary to this my Promise and Obligation, towards the weakening or lessening of its Force; and if I should happen to do it, even with another Oath contrary to this, that it shall not stand in any stead, or be any advantage to me. And I do promise and oblige myself, that as soon as I shall be conducted and brought into the Company of the Most Christian King, in pursuance of the said Articles, I shall, in conjunction with his Majesty, pass another Instrument, with all the Clauses, Oaths and necessary Obligations; as also the Insertion and Ratification of this same Act, made in this City of *Fontarabia*, where my Lord the King is present with his Court, *June 2.* this Year 1660. in the presence of the King our Master, who in continuation of the Grant above-mention'd, saith, that his Catholick Majesty would supply with his Royal Authority, and would have deem'd as supply'd, all Defects whatsoever, Omissions of Facts or Right, Substance or Quality, Style or Custom, which might

might be us'd in the drawing up of this Act of Renunciation, of any Shares and future Successions, which the Most Serene Infanta, the intended Queen of *France*, his most dear and well-beloved Daughter, hath done and agreed to; and that he, out of his full and absolute power, as King, who acknowledges no Superior in Temporalities, hath confirm'd and approv'd, doth confirm and approve, with Derogation for this time to all Laws and Ordinances, Usages and Customs, that may be to the contrary, or hinder the Effect and Accomplishment of it. And for the greater Confirmation of the whole, he commands it should be seal'd with the Seal Royal, these Persons following being call'd and requir'd to witness the same: Don *Lewis Mendez de Haro*, Marquess *del Carpio*, Conde Duke d' *Olivares*; Don *Ramiro Nunes de Guzman*, Duke de *Medina de las Torres*; Don *Gasper de Haro*, Marquiss de *Eliche*; Don *John Dominick de Gusman*, Count de *Monterey*; Don *Diego de Arragon*, Duke de *Terranova*; Don *Guillen Ramon de Montada*, Marquess d' *Aytona*; Don *Pedro Puerto Carrero*, Count de *Medellin*; Don *Pedro Colon de Portugal*, Duke de *Veraguas*; Don *Antonio de Peralta Hurtado de Mendoza*, Marquess de *Mondejar*; Don *Alonzo Perez de Guzman*, Patriarch of the *Indies*; Don *Alonso Perez de Vivero*, Count de *Fuelsaldagne*, of the Council of State; Don *John de Caravagal*, and *Sandi* of the Council and King's Chamber; Don *Diego de Tejada*, Bishop of *Pampelona*: and several other Lords and Knights there present. Sign'd, *I the King, Maria Theresa.*

I Don *Ferdinando de Fonseca Ruis de Contreras*, Marquess de *Lupilla*, Knight of the Order of *St. James*, one of the Councils of War, *Indies*, and Chamber of the same appertaining to his Catholick Majesty, Secretary of State, and of the universal Dispatches, and Notary in his Kingdoms and Dominions, who was present at the Oath, Grant, and every thing above-contain'd, do witness the same; and that the said Second and Fourth Articles of Marriage, as they are before specify'd, have been faithfully copy'd and collated with the Original, which is in my Hands. In testimony of the truth whereof, I have sign'd and subscrib'd my Name, Don *Ferdinando de Fonseca Ruis de Contreras.*

The Catholick King my Sovereign Lord, having been pleas'd to order me, Don *Blasco de Loyola*, Commander of *Villarabia de Ocava*, of the Order and Knighthood
of

The Infanta's Renunciation.

of St. James, one of his Council and Secretary of State, to make a Copy of the Instrument of Renunciation, which the Infanta *Maria Theresa*, his Daughter and future Queen of France, hath made and granted before Don *Ferdinando de Fonseca Ruis de Contreras*, Marquess de *Lupella*, Knight of the Order of St. James, one of the Council of War, for the *Indies*, and of the Chamber of the same for his Catholick Majesty, Secretary of State, and of the Universal Dispatches, and Notary in his Kingdoms and Dominions, of her Share in the Estates of her Father and Mother, in order to send it to Don *Estevan de Gamarra*, his Ambassador to the States-General of the united Provinces and having actually done it, I do certify, that this Copy agrees with the Original in my Hands, with which it has been collated; and to manifest the same, I have put my Name to it, and it's seal'd with the Royal Privy Seal, which is also in my Hands. *Madrid*, July 16. 1660. Sign'd Don *Blasco de Loyola*, and at the side his Majesty's Seal upon a Red Host.

*Act of Renunciation by the intended
Queen of France, in Conformity to the
fifth and Sixth Articles of her Con-
tract of Marriage.*

HE Lady *Maria Theresa*, Infanta of both *Spains*,
and by the Grace of God future Queen of *France*,
eldest Daughter to the most High, most Excellent,
most Potent Prince, Don *Philip IV.* by the same Grace
Arch King of both *Spains*, my Lord (whom God
bless and prosper) and of the most High, most Excel-
lent and most Potent Princess the Lady *Isabella*, the Ca-
tholick Queen of Glorious Memory, my Mother and Lady
now in Heaven) by the Narrative and Publication
Instrument and Act of Approbation, Confirmation
and Ratification, and of what is further therein contain'd,
verum rei Memoriam; Be it known and manifest to
Princes, Potentates, Republicks, Communitys and
other Persons, that are now, or shall be in all time
to come, that forasmuch as the most High, most Excellent,
most Potent Prince, *Lewis XIV.* the most Christian
King of *France*, my Cousin German, sent the Marechal
Grammont on a particular Embassy to the Catholick
my Lord, to demand and propose in his Name,
that he should be betroth'd and marry'd to the said most
Potent King my Cousin; and his Catholick Majesty
showing a just Esteem of that Offer and Proposal, and a
regard to Decency, Equality, and publick Conveni-
ence, which met in this Marriage, granted and agreed
to the same, having beforehand a dispensation from his
Holiness, for the Kindred and Consanguinity betwixt me
and the most Christian King my Cousin; and that after-
wards in consequence of this Octroy and Agreement, and
by the Powers of their Catholick and most Christian Ma-
jesty their Treaty of Marriage was agreed to and sign'd
at *Nov.* 1659. in the Isle of *Phœasants*, in the River
Bidasoa, depending on the Province of *Guipuscoa*, confining
these Kingdoms and that of *France*; and that in the
said sixth Articles of the said Treaty, it was resolv'd
and

and agreed on conjunctly, and with one accord, as a thing very convenient, after having consider'd it carefully, and with mature Deliberation, that I and the Children and Descendants which it may please God to give us by this Marriage, be, and remain incapable, and absolutely excluded from all Right and Hope to succeed to any of the Kingdoms, Dominions and Lordships, belonging to the Crown and Monarchy of *Spain*, or that may be added thereto by his Catholick Majesty, or after his Life (which God grant may be long and happy) by the Kings his Successors. And tho it be agreed on by Covenant betwixt Princes and Sovereign Kings (who in Temporals own no Superior) out of their Favour and Good-will to the publick Cause of both Kingdoms, and that they have condescended to this at the desire and Joint-Wishes of their natural Subjects and Vassals, who are willing that it should have the Force and Vigour of a Law and pragmatick Sanction, and that it be receiv'd and observ'd as such; and tho on that account it would seem there's no need of any other Solemnity to make it firm, yet nevertheless it is their Majestys Will (if my Approbation might be convenient on any Consideration whatever) that I should incontinently give it, when the Marriage agreed on came to be solemniz'd and contracted, and that my Approbation should have all the Clauses and necessary Solemnitys according to, and as it is stipulated and declar'd more particularly by the Act of Ten Articles, the Tenor of the fifth and sixth of which taken from the Original are inserted here *Verbatim* as follows :

The Fifth Article. That forasmuch as the most Christian and Catholick Kings are come to make a Marriage, that by this Tye they may so much the better perpetuate and assure the publick Peace of Christendom, and betwixt their Majestys that Love and Brotherhood which every one hopes will be betwixt them, and also in Consideration of the just and lawful Causes, which shew and demonstrate the Equality, and the Convenience of the said Marriage; by means of which, and thro' the Favour and Blessing of God, all men may hope for happy Success, to the great Advantage and Increase of the Christian Religion and Faith, to the Welfare and common Benefit of the Kingdoms, Subjects, and Vassals of the two Crowns; as also for what relates to the Welfare of the Publick, and the Preservation of the said Crowns; which being so great and potent, cannot

sited in one, and that henceforward it is the design
ent the occasion of such a Conjunction. Then consid-
the quality of the above-mention'd, and other just
s, and especially that of the Equality which ought to
serv'd, their Majestys agree by Contract and Cove-
nt between themselves, which shall have the force and
of a firm and stable Law for ever, in favour of their
ms, and the publick Welfare of the same, that the
serene Infanta of *Spain*, the Lady *Maria Theresa*, and
Children born of her, whether Male or Female, and
Off-spring of the first, second, third Generation, or
ever other degree, shall never succeed to the King-
States, Lordships and Dominions which appertain,
appertain to his Catholick Majesty; and which are
comprehended under the Titles and Qualities mention'd in
said Agreement, nor to any of his other Kingdoms,
ions, Lordships, Provinces, Isles adjacent, Fiefs,
inrys, nor to the Frontiers which his Catholick Maje-
sties at present, or which pertain, or may appertain
either within or without the Kingdom of *Spain*, or
in time to come his said Catholick Majesty, or his
ors shall have, possess, or have belonging to them,
any of those that are comprehended in those, or de-
von them, not to any of those which hereafter, or
t time soever he may acquire or add to his above-
r'd Kingdoms, States, Islands, Dominions, or which
recover, or may devolve upon him, or by what
titles, Rights, or Reason soever, tho it should be du-
e Life of the said most serene Infanta the Lady *Maria*
, or after her Death, or in that of any of her Off-
first, second, third Generation, or further; that in
e or Cases by which either of Right, or by the
nd Customs of the said Kingdoms, Dominions and
or by the dispositions of Titles by which they may
, or pretend that the Succession of the said King-
s^c. ought to belong unto them: From the Successi-
which in all the above-mention'd Cases, from this
ward, the said Lady *Maria Theresa*, the Infanta,
id declares herself to be, and remain well and duly
d, together with all her Children and Descendants
or Females, tho they would or might say and pre-
hat as to their personal Right, neither the said Rea-
the publick Welfare, nor any other upon which the
clusion may be founded, can take place; or if they
I. I should

should alledge (which God forbid) that the Succession of the Catholick King, or of the most serene Princes and Infantas, and of the Males which he hath, or may have for his lawful Successors, hath ceas'd and fail'd; because, as has been said, that in no case, in no time, nor in any manner whatever, neither she, they, nor their Heirs and Descendants must succeed, nor pretend any Right to succeed, notwithstanding any Laws, Customs, Ordinances, and Settlements, by virtue of which any have succeeded to the said Kingdoms, Dominions and Lordships, and also notwithstanding all the Laws and Customs of the Crown of *France*, which oppose this above-mention'd Exclusion, as well for the time present, as for the time to come; and notwithstanding the Cases which wou'd have long delay'd the said Successions. All which Considerations together, and each of them apart, their said Majestys abrogate, in as far as they contradict or oppose the Contents of this Contract, or the fulfilling and execution of the same, and that for the Approbation and Ratification of this present Agreement they do abrogate the same, and hold them as abrogated; and their Will and Meaning is, That the most Serene Infanta, and her Offspring, remain henceforward and for ever excluded from any Power to succeed at any time, or in any case, to the Dominions of the Country of *Flanders*, the County of *Burgundy* and *Charolois*, their Appurtenances and Dependences. In like manner also they declare most expressly, that in case the most Serene Infanta happen to be a Widow (which God forbid) without Children by this Marriage, she shall be free from this Exclusion, and therefore declar'd capable of her Rights and Power to succeed to all that may belong or fall to her, in two Cases only: the one, that if she be a Widow without Children by this Marriage, she return into *Spain*; and the other, if from Reasons of State, for the good of the Publick, and other just Considerations, she marry again with the Consent of the Catholick King her Father, or of the Prince her Brother; in those two cases she shall be capable of succeeding and inheriting.

VI. That the most serene Infanta the Lady *Maria Theresa*, before the Celebration of the Marriage, shall, by word of mouth, give, promise and authorize a Writing by which she shall oblige her self, her Successors and Heirs to the accomplishment and observation of all that is beforemention'd, for the Exclusion of her self and her Off-

spring; and shall approve the whole as it is contain'd in this present Agreement, with the requisite and necessary Clauses and Oaths; and at the inserting of the same Obligation and Ratification which her Highness shall give and make of the present Agreement, she shall make such another conjointly with the most Christian King as soon as she shall be marry'd, which shall be enregister'd in the Parliament of *Paris*, with other necessary Clauses according to the usual form. As also his Catholick Majesty shall approve and ratify the Renunciation, with other necessary Clauses, in the usual manner and form, and cause them to be enregister'd in his Council of State; and whether the said Renunciations, Ratifications, and Approbations be made or not, from henceforward, by virtue of this present Agreement, and of the Marriage that shall follow upon it, and in consideration of all the things beforemention'd, they shall be held and accounted as well and duly made and authoriz'd, and as pass'd and register'd in the Parliament of *Paris*, by the publication of the Peace in the Kingdom of *France*.

After the insertion of the Articles the Infanta goes on in the following Terms.

And forasmuch as after the Treaty beforemention'd, our most holy Father *Alexander VII.* dispens'd with the degree of Consanguinity, which is betwixt the said most Christian King and me, and approv'd by his Authority and Apostolical Benediction our Treaty of Marriage, and its Articles; and that the case and time is come when the Marriage is to be solemniz'd and contracted with the Blessing of God; and as we are to hope, for his Glory and Service, the Exaltation of his holy Faith, and the Tranquillity of the Christian Commonwealth, by means of which the case and time is also come when I am to fulfil on my part (before Marriage) the Contents of the fifth and sixth Articles which are inserted in this Act; and that I am likewise in Majority, of the Age of twenty years; and that it hath pleas'd the Lord to give me Capacity and Discretion to understand and comprehend the substance and effect of the said Articles, of which I had certain and due notice, forasmuch as I have frequently inform'd my self of them, and of their Conveniency, during the time of six months since they were publish'd and agreed on, and that it was sufficient to give me that satisfaction I ought to have of their Justice, to know that the Affair was examin'd and agreed on by

my Lord the King, who desires and procures my Contentment and Welfare with so much Love and Care, having a joint regard to the publick and common good of the Kingdoms, of which God hath given him the Charge; and which, as well as those of the Crown of *France*, are equally concern'd, that the Grandure and Majesty which they bear, and have preserv'd in themselves for so many years with so much Prosperity, and that the Glory of their respective Names of Catholick and most Christian Kings may not be diminish'd nor fall, as necessarily they must, if by means of this Marriage they come to unite in any of the Children and Descendants: This wou'd cause to their Subjects and Vassals such Discontent and Affliction as may be easily foreseen, and wou'd be attended by such Inconveniences and Losses, which are more easily apprehended before they happen, than help'd and redress'd when they once come to pass, and are felt; and therefore it is agreed to prevent them, that this Marriage may not be the Cause of effects contrary to those which we promise ourselves, and are to hope for from it. Besides, that this Precedent will facilitate in time to come reciprocal Marriages betwixt my Posterity and those of my Lord; which Consideration affords me particular Comfort and Satisfaction, forasmuch as it will be a means to strengthen and renew from time to time the Bond of Blood and Kindred, and will likewise ascertain and confirm more powerfully and effectually the Alliance, Friendship and good Correspondence that hath been cemented and contracted by such happy beginnings betwixt those two Kingdoms. Thus they will be continu'd to the Glory of God, and the Renown of the Catholick and most Christian Kings; which being the publick and common Good, ought in reason to be prefer'd to my particular Advantage, and that of my Children and Descendants, which in the present case is not to be regarded, forasmuch as 'tis known to be very remote. I am so much the more satisfi'd in the Justice of this Renunciation and Act, that herein I follow the Example and Authority of the most high, most excellent, and most potent Princess *Madam Anna Infanta of Spain*, at present the most Christian Queen of *France*, and my well belov'd and much rever'd Aunt and Lady: and that besides the Considerations and publick Causes beforemention'd, and that of preserving and ascertaining the Peace betwixt the two Nations (which contracts, and are allieg'd in the said Treaty and Renunciation) it

her Right to the Crown of Spain. 117

fallen in with the present Case, and hath been con- as the publick Cause, and the chief and greatest for the Renunciation agreed to in my Treaty of ge, that the said Treaty is known to be the main incipal Cause of the Pacification of a War of 25 nation betwixt the two Crowns of *France* and *Spain*, ch Quarrel the greatest Potentates of *Christendom* mcern'd by Alliance or Dependence : So that the : of the whole, the publick Cause, and, which is if of all, the Catholick Religion, having suffer'd r the War, and being no way to be remedy'd but Peace granted by the means and for the sake of my e, which wou'd not have been granted, nor con- o by the King my Lord, if this Renunciation had n agreed to, as was taken notice of in the first Ar- my Contract of Marriage, and in the three and t Article of the Treaty of Peace betwixt the two , which in this Consideration refers to the particu- ty made upon the Conditions of my Marriage, and them were sign'd the same day; and in the said d thirtieth Article of the Peace it is declar'd, that

Treaty made upon the Terms of my Marriage, standing its being separate, shou'd be of the same d obligation with that of the Peace, as being the l part of it, and the most precious earnest of its i and Duration: Therefore of my own proper free, spontaneous and chearful Will, and having cience and knowledg of the Act which I do, and r Consent imports and may import, I approve, con- ratify, in the best manner and form, I can and do, the said Agreement according to, and in that as is more particularly contain'd in the said fifth , and in case it shou'd be judg'd necessary and con- I give my absolute and sufficient Power to the King l, and the most Christian King, to agree and enact again; tho by virtue of, and in accomplishment of Article, I declare and look upon my self as exclu- remov'd, and the Children and Descendants of riage excluded, and absolutely disabled, and with- tation, difference, or distinction of Persons, De- x, Time, Action and Right, to succeed to the is, Dominions, Provinces, Lands and Lordships of wn of *Spain*, expres'd and declar'd hereby. And I consent for me, and for my said Offspring, that

from henceforward and for ever, they be held as granted and transfer'd to him who shall be found nearest of Kin (because I and they are excluded, disabled and incapable) to the King by whose Death it becomes vacant, to the end he may hold them as lawful and true Successor, in the same manner as if I and my Descendants were not born, nor had a being in the World, because we ought to be held and reputed as such, and that neither they nor I are to be considered in any manner as Representatives or Descendants of the Lineage, Blood or Dignity of the King my Lord, or of the Glorious Kings his Predecessors, nor in any other way so as to enter into the Succession, or pre-occupy the degree of Proximity, in exclusion of the Person who shall be found next in degree as before said to the King reigning immediately before the Line fails. And I promise and oblige my self on my Royal Word and Faith, that in every thing which shall depend on me, and on my said Children and Offspring, we shall always and at all times take care that this Article, and the Act which I make for its Approbation and Confirmation, be inviolably observ'd and accomplish'd, without allowing or consenting that any thing be done contrary to it, directly or indirectly, in whole or in part. And I renounce and quit all Remedys at Law, known or unknown, ordinary or extraordinary, that belong or appertain by common Right or special Privilege to me or my said Children and Descendants, to revoke, say or alledge any thing against what is done, as above; and I renounce all Claims, and particularly that of having Restitution *in integrum*, founded upon Ignorance, Inadvertency of Youth, evident Injury, enormous or most enormous, that may be alledg'd to be in the said Renunciation, or quitting of my Right to succeed at any time to so many and such great Kingdoms, Dominions and Lordships; and 'tis my Will that none of the said Pleas, nor any other of what Name, Character, Importance and Quality soever, be of any use to us judicially or extrajudicially; and that if we demand them, or attempt to sue them by way of Law and Justice, that we be deny'd and excluded from all sort of hearing; and if by way of Violence, or any other ill-founded Pretext, in distrust of Justice (because we ought always to own and confess, that we have no Right to succeed to any of the said Kingdoms) we offer to seize them by force of Arms, by making or moving an offensive War, that from thenceforward and for ever it be held, judg'd and declar'd

clar'd as an unlawful, unjust, ill-grounded, violent, tyrannical Invasion and Usurpation against all Reason and Conscience; and that on the contrary, that War which shall be made or mov'd by him who ought to succeed in exclusion of me and my said Offspring and Descendants, be held for just and lawful; and that the Subjects and Inhabitants ought to receive and obey, swear Homage, Fealty and Obedience to him as to their King and lawful Sovereign. And I affirm and certify, that to authorize this Act, I have not been induc'd, inclin'd, or persuaded by the Respect and Veneration which I owe and have for the King my Lord, as a Prince so puissant, and as a Father who loves me, and whom I love so much, and who keeps and hath kept me under his paternal Power; because in truth all that passes and hath pass'd, in respect of the Conclusion and Effect of this Marriage concerning the said Agreement, and Article of the Exclusion of my self and of my Descendants, I have had all the liberty which I could wish for to say and declare my Will, without being put in fear, or threaten'd by him or any other Person, to induce or move me to do any thing contrary to my Inclination. And for the greater Validity and Certainty of that which is said and promis'd on my part, I swear solemnly by the Gospels contain'd in this Missal (upon which I lay my right Hand) that I will observe, maintain and accomplish it in whole and in part; and that I shall not demand any Dispensation of my Oath from our most holy Father, nor from the holy Apostolical Chair, Legate or any other Dignity, that hath power to grant it me; and that if the same shou'd be granted me at my own Instance, or at that of any University or Particular Person, or *Motu proprio*, tho it should be no more but to go to Trial, without touching on the substance of the said Claims, and on the virtue and force of this Act and Treaty, which I do hereby approve, I shall not make use of, nor serve my self with it. On the contrary, in case I should have the Authority granted me, I take my Oath a second time against all Dispensations that shall be granted me; and by the same Oath I say and promise, that I neither make nor shall make any Protestation or Revocation in publick or in secret, that may hinder or diminish the force of the Contents of this Act; and if I do, tho it should be under Oath, it shall be of no Validity, Force nor Effect. And I pray his Holiness, that since this Marriage and Treaty hath been concluded and

agreed upon with his Holv and Apostolical Approbation, and is to be effected and solemniz'd with his Blessing, that he would be pleas'd to add to the Force, binding Power, and Religion of my Oath by the Authority of his Apostolical Confirmation; and I promise and oblige my self, that in conformity unto, and in accomplishment of the sixth Article above-mention'd, as soon as I shall arrive at the place where the most Christian King shall receive me, I will make and cause to be made by his Intervention and Authority, and jointly with his most Christian Majesty, and with all the Clauses, Oaths and Conditions necessary and convenient, such another Act of Confirmation and Ratification as that which hath been made and expeded in this City of *Fontarabia*, where the Catholick King my Lord now keeps his Court and Palace, this second day of *Janu*, 1660, in presence of the King our Master.

And for the greater Solemnity, Authority and Validity of this Act, his Catholick Majesty hath said for the Accomplishment of the fifth and sixth Articles therein inserted, That as to what relates to the common Cause, and the common Welfare of his Kingdoms, Subjects and Vassals, he confirms and hath confirm'd this Act, according as it is expeded by the most Serene Infanta Madam *Maria Thersa*, the betroth'd and future Queen of *France*, his most dear and well-beloved Daughter: and that of his own proper Motion, certain Science, full and absolute Power, and as King and Lord, who owns no Superior in Temporals, he supplies, and wills that they be held as supply'd by his Royal Authority, whatever defects or omissions of Fact or Right, of Substance or Quality, of Style or Custom, may be found in the said Act; and he confirms and approves, specially and particularly, the said fifth Article, and what is agreed and resolv'd therein, betwixt his Catholick Majesty and the most Christian King; and he wills and commands that it have the Force and Vigor of a Law and pragmatick Sanction, and that as such it be receiv'd, kept, observ'd and executed, in all his Kingdoms, Dominions and Lordships, without any regard to the Laws, Ordinances or Customs to the contrary, from which it derogates; and his Will is, that for this time they be held as abrogated and made void, tho they be of such sort and quality, as that for their Derogation there should be requisite and necessary other more expresse and special mention: And he hath commanded that it be seal'd with his Royal Seal, and enregister'd

enregister'd and publish'd in his Council of State, and others to which it may belong. Of all which were call'd and requir'd to be witnesses, Don *Louis Mendes de Haro*, Count Duke *Olivares*; Don *Ramire Nunez de Guzman*, Duke de *Medina de las Torres*; Don *Gasper de Haro*, Marquiss de *Eliche*; Don *Juan Domingo de Guzman*, Count de *Monterey*; Don *Diego d' Arragon*, Duke de *Terranova*; Don *Gillen Ramon de Moncada*, Marquiss de *Aytana*; Don *Petro Portocarrero*, Count de *Medillin*; Don *Pedro Colon de Portugal*, Duke de *Veraguas*; Don *Antonio de Peralta*, *Hurtado de Mendoza*, Marquiss de *Mondejar*; Don *Alonso Peres de Guzman*, Patriarch of the *Indies*; Don *Alonzo Perez de Vivero*, Count de *Fuensaldagne*, Counsellor of State; Don *Juan de Carvajal* and *Sandi*, one of his Majesty's Council and Chamber; Don *Diego de Jesada*, Bishop of *Pampelona*, and several other Lords, Knights and Domesticks of his Majesty, who were present. Sign'd,

I the King. I *Maria Theresia*.

A Treaty between Lewis XIV. of France, and Charles II. King of England, for the Sale of Dunkirk to the French, concluded at London, Octob. 27. 1662.

LEWIS, by the Grace of God, King of *France* and *Navarre*; to all those to whom these Presents shall come, Greeting. The Count d' *Estrades*, Knight of our Orders, and one of the Lieutenant-Generals of our Armys, having by virtue of the Powers receiv'd from us, dispatch'd, concluded and compleated the following Treaty in our name at *London*, on the 27th of this instant *October*, with the Commissioners deputed by our most dear and most beloved Brother the King of *Great Britain*.

The King of *Great Britain* being desirous more and more to increase the Friendship already contracted with his most Christian Majesty, has thought himself oblig'd to give ear to the Proposals made to him on his part, to treat upon reasonable Conditions concerning the Town and Citadel

Citadel of *Dunkirk*, and to embrace the same as the most agreeable and efficacious means to perpetuate the good Understanding he is desirous to propagate with his most Christian Majesty, and which is so necessary for the Good of his Subjects, and the common Tranquillity of both Nations; and after several Conferences had been held on this occasion with the Count *d'Estrades*, Knight of the most Christian King's Orders, heretofore his Ambassador in *England*, and at this time Ambassador Extraordinary in *Holland*, the following Articles have been agreed on in the most Christian King's Name by the Count *d'Estrades*, with the Earl of *Clarendon* Lord High Chancellor of *England*, the Earl of *Southampton* Lord High Treasurer of *England*, the Duke of *Albemarle*, and the Earl of *Sandwich*, in the name of the King of *Great Britain*, and by virtue of the Powers given them and inserted at the end of this Treaty.

I. In the first place it's concluded and agreed, That the Town of *Dunkirk*, together with its Citadel, Redoubts, old and new Fortifications, and in general every thing that makes up the Body of the Place, the Outworks, Counter-scarps, Rights of Sovereignty, Sluices, Dams, Ports and Havens, Lands and Propertys, Appurtenances, annex'd Dependences, Territorys and Countrys belonging thereunto; the whole in the condition now'tis, shall be put into the hands of his most Christian Majesty, or such Commissioners as he shall appoint, and furnish with a full power for that end, within fifteen days to reckon from the date of his most Christian Majesty's Ratification of this Treaty, or sooner if it can be done.

II. Moreover, all the Brick, Lime, Stone, and in general all the Materials that are upon the place, design'd for the said Fortifications, belonging to the King of *Great Britain*, together with all the Artillery and Ammunition of War, according to the Number, Quantity and Quality they are found to be in, and the Inventory taken of them by the King of *Great Britain* before the Conclusion of this Treaty, and which shall be specify'd at the end thereof, without alienating or detaining any part of the same, by the Officers commanding in the said Place, or any other who may have them in their custody.

III. And in case the Magazines be found defective, and any part of the Inventory wanting, the said King of *Great Britain* shall be oblig'd to pay the Price thereof, according to the Judgment and Valuation put upon it by Merchants
of

of the two Nations, who shall be nominated to this purpose.

IV. At the same time also the Fort of *Mardike*, the Wooden Fort, the great and small Forts between *Dunkirk* and *Bergh St. Wynox*, shall be put into the hands of the said most Christian King, or his Commissioners, together with their Arms, Artillery and Ammunition, in the condition they are found to be in at this time.

V. That the said Town and Citadel of *Dunkirk*, together with its Forts, Artillery, Ammunition, Rights of Sovereignty, Countrys, and in general every thing depending thereon, as abovesaid, is sold to the most Christian King, and shall be deliver'd up by the said King of *Great Britain* or his Commissarys, in the space of fifteen days, to be reckon'd from the time of the Ratification of this Treaty, or sooner if it can be done.

VI. That the said Bargain and Sale is made in Consideration of the Sum of five Millions of Livres, according to the Computation and Value of *French* Money, and the present Currency thereof, viz. a silver Crown at sixty Sols: Of which Sum two Millions of Livres shall be paid down in the said place, at the same time that it shall be put into the hands of his most Christian Majesty, or his Commissioners. The said two Millions shall be carry'd and put on board the Ships, which the said King of *Great Britain* shall send into the Havens of the said Place for that purpose; and those Ships shall have liberty, when they think fit, to go out of it. And the other three Millions remaining shall be paid in the two years following, viz. Fifteen hundred thousand Livres each year at four Payments every three months, the three first to be of four hundred thousand Livres each, and the last of three hundred thousand, making up in the whole the said three Millions in the space of the said two years: which Payments in the said two years shall be made in the Town of *Dunkirk*, to those who shall be impower'd to receive it by the King of *Great Britain*; and sufficient Security shall be given at *London* for the due and faithful Performance of the same.

VII. It's agreed and concluded, That the said Payments of the five Millions, regulated as in the preceding Article, shall be all made in silver Money, as current in *France* at the time of the present Treaty, reckoning sixty Sols *Tour-nay* to a Crown. And in case it should come to pass that his most Christian Majesty should hereafter raise the price
of

of his Moneys, it's agreed that that shall have no influence upon the Payments stipulated in this Treaty.

VIII. And forasmuch as his most Christian Majesty hath desir'd, that the said King of *Great Britain* would warrant the Sale of the said Town of *Dunkirk*; it's covenanted and agreed, that the said King of *Great Britain* doth warrant the said Place of *Dunkirk*, with all its Circumstances and Dependences, for the space of two years only, to the most Christian King: and to that end does oblige himself, that in case the King of *Spain*, from whom it was taken by the Right of Arms, should happen during that time, or any other Aggressor, to dispute the matter with his most Christian Majesty, and by open Force lay siege to the same; the King of *Great Britain* in that case does oblige himself and promise, that he will during the space of two years only as aforesaid, and no longer, defend it in conjunction with his most Christian Majesty, and engages to furnish as numerous a Fleet of Ships, as shall be adjudg'd sufficient for preserving a free Passage to it to the Sea-ward, by which those Succours that are adjudg'd necessary may be thrown in.

IX. And if it should so happen, that notwithstanding all the Resistance made by the same place, and the Efforts made by the two Kings for succouring it, it should be taken by the King of *Spain*, either by open Force or Surprize and Intelligence; the said King of *Great Britain* does in like manner oblige himself, and promises during the said two years only, to furnish a considerable Fleet towards the retaking of it, and such a number of Ships as shall be thought sufficient to make him Master of the Sea, and the mouth of the Harbour, and to concur in good earnest with his most Christian Majesty in this Design.

X. His Majesty of *Great Britain* does oblige himself, and promises, that the Garison in marching out of *Dunkirk* shall commit no disorders, so as that the Houses, Churches, Fortifications and Calerns, may receive any damage, and that no Violence shall be offer'd to the Townsmen, Priests and Religious Persons; and in case it should come to pass, that notwithstanding the good Orders given by his said Majesty of *Great Britain*, the said Garison should grow so unruly, as that the Townsmen may sustain some loss, and the Fortifications receive damage, his said Majesty promises to make Reparation for the same by punishing the Guilty, and making satisfaction for the said Losses, according

ing to the Estimate which shall be made by Commissioners chosen out of both Nations for that effect.

XI. That all the Debts contracted by the Officers or Soldiers in Garison, and due to the Townsmen or Inhabitants of *Dunkirk*, since the Restoration of the said King of *Great Britain* to his Dominions, shall be paid when they march out of the Place, as the same shall be adjusted by Monsieur *Retrefort* Governor of the said Place for the King of *Great Britain*, with the Burgomaster and Bailiff of the said Town; and that the said King of *Great Britain* shall charge himself with the Payment thereof, out of the Pay due to the said Garison, in case it should so happen that any of the Officers or Soldiers do not voluntarily and of themselves discharge the same.

XII. And forasmuch as a Townsman of *Dunkirk*, whose Name is *Gouvard*, hath undertaken at his own Cost and Charge to build a Bridge cross the Haven, and that the said King of *Great Britain* in consideration thereof has given him leave to raise a certain Toll of those who shall pass over the said Bridge, &c. till such time as he shall be fully reimburs'd the Expence and Charges he has been at; and also promis'd him in case he should happen to dispose of the said Place, he would oblige the Prince with whom he should bargain about it, to allow him to raise the same Toll, till such time as he should be fully re-imburs'd: the most Christian King, in consideration hereof, hath promis'd to suffer the said *Gouvard* to enjoy the said Toll, in the same manner as if the Place had continu'd still in the hands of the King of *Great Britain*.

XIII. That the *English* Merchants, and others of that Nation, the Subjects of the King of *Great Britain*, shall be allow'd to retire out of the said Town, with all their Movables, and in general with all sorts of Merchandizes belonging to them, excepting Corn and other Provisions and Ammunitions of War, which shall not be carry'd away for the space of one month; but they shall be oblig'd to sell them at the Market-price. And in case it should so happen, that they cannot sell them in that month's time, they shall be free to carry them away, whithersoever they please. And as for Immovables, they may sell them; for which they shall be allow'd three months time, or more if necessary: it being always to be understood, that they shall before they quit the said Place, and sell their said Goods, be oblig'd to pay all their Debts, or give such Security for

the Payment of the same, wherewith their Creditors shall be satisfy'd.

XIV. The Points and Articles above-nam'd, together with every thing contain'd in all or any of them, have been treated of, agreed, pass'd, and stipulated, *viz.* between the said Count *d'Estrades*, for and in the name of his most Christian Majesty, and the Earl of *Clarendon* Lord High Chancellor of *England*, the Earl of *Southampton* Lord High Treasurer, the Duke of *Albemarle*, and the Earl of *Sandwich*, for and in the name of the King of *Great Britain*, as Commissioners chosen for that end by their Majestys; who by virtue of the Powers given them, have promis'd and do promise under the Obligation and Engagement of all and singular the Goods and Estates now or at any time hereafter possess'd by the Kings their respective Masters, that they shall be inviolably observ'd and accomplish'd by their Majestys, and that they will cause the same to be exactly and sincerely ratify'd, without any Addition, Diminution, or Curtailing; and of which they shall mutually deliver to and receive of each other authentick and seal'd Letters, wherein all that is contain'd in this present Treaty shall be inserted word for word, and that within fifteen days after the date of these Presents, and sooner if it can be done.

In witness whereof, we the Commissioners above-nam'd have subscrib'd this Treaty, and set our Seals to it.
Done at *London*, *Octob.* 27. 1662. Sign'd *D'Estrades*.

The Power given by the most Christian King to the Count D'Estrades, who was appointed his Commissioner for concluding the foresaid Treaty.

I do empower the Count *d'Estrades*, Knight of my Orders, to adjust, conclude, and sign a Treaty with the King of *England* my Brother, about the buying of *Dunkirk* and its Dependences; and do promise upon the Faith and Word of a King to approve, ratify, and execute every thing that the said Count *d'Estrades* shall promise by virtue of this present Power. Done at *St. Germain*, *July* the 16th, 1662. Sign'd *Lewis*, and writ with his own hand.

The Power given to the Earl of Clarendon Lord High Chancellor of England, the Earl of Southampton Lord High Treasurer, the Duke of Albemarle, and the Earl of
of

of Sandwich, appointed Commissioners on the part of the King of Great Britain.

I do impower my Cousins the Earl of *Clarendon* Lord High Chancellor of *England*, the Earl of *Southampton* Lord High Treasurer of *England*, the Duke of *Albemarle*, and the Earl of *Sandwich*, to settle, conclude, and sign a Treaty with the Count *d'Estrades*, for the Sale of the Town of *Dunkirk* and its Dependences; and promise upon the Faith and Word of a King, to approve, ratify, and execute every thing that the said Chancellor, Treasurer, Duke of *Albemarle*, and the Earl of *Sandwich*, shall promise by virtue of this Power. Done at *London*, Sept. 1. 1662. *Charles R.*

*The Treaty of Peace between Lewis XIV.
of France, and Charles II. King of
England; concluded at Breda, July 21.
1667.*

TO all those in general, and to every one in particular, of them that are concern'd, or who may in any manner of way whatsoever: Be it known to them, that after the War that has been kindled between the most Serene and most Potent Prince *Lewis XIV.* King of *France* and *Navarre*, on the one part, and the most Serene and the most Potent Prince *Charles II.* King of *Great Britain* on the other; upon the account of the War that was on foot between him the King of *Great Britain* and the High and Mighty Lords the States General of the United Provinces of the *Low Country*s, things at last thro' the Divine Goodness have been brought to that pass, as to make them entertain thoughts of a Peace; the most Serene and most Puissant Prince, *Charles* King of *Sweden*, and of the *Goths* and *Vandals*, having interpos'd his good and sincere Offices by way of Mediation, to which he was inclin'd by the Love and particular Esteem he has for the foremention'd Kings in War with one another, and for their Kingdoms, and also animated with the Zeal he hath for the Good of *Christendom*

Christendom, and for restoring and securing the Repose and Tranquillity thereof: And that in order to attain to this end, the Partys concern'd have by mutual Consent and Agreement pitch'd upon and nam'd the Town of *Breda* to be the Place where their Ambassadors and Plenipotentiarys were to meet. For the promoting of which Affair and Negotiation, and in order to bring the same to the so much desir'd Perfection, the Ambassadors Extraordinary of his Sacred Royal Majesty of *Sweden*, *M. George Flemmingh*, free Baron of *Liebelitz*, Lord of *Norwalls* and *Lydings*, Senator of his Sacred Royal Majesty, and of the Kingdom of *Sweden*, and Counsellor of the Chancery; *M. Christopher Delphique*, Burgrave and Count of *Dhona*, Hereditary Lord of *Caritingen*, *Schlobitten*, *Bourysdoff*, *Stokenfelts* and *Fischbach*, Marechal de Camp in his Sacred Royal Majesty of *Sweden's* Armys, and his Counsellor in military Affairs; and also the Lord *Peter Jules Coyet*, Hereditary Lord of *Bengtsboda* and *Lyangebygard*, Knight, Counsellor of the Aulick State to his Sacred Royal Majesty, and of the Chancery (who nevertheless in a short time after his arrival in this place, was prevented by an unexpected Death, when he was employ'd and labouring about so good a Work) have employ'd all their Industry, Addresses, and Prudence, with all Readiness and Sincerity. And in like manner the above-mention'd Kings being inclin'd to the same good end, have in order to treat of a Peace and Accommodation, commission'd and deputed these their Extraordinary Ambassadors and Plenipotentiarys, *viz.* for the most Christian King, the *Sieur Godfrey d'Estrades* Lieutenant-General of his Majesty's Armys, Governor of *Dunkirk*, perpetual Mayor of *Bordeaux*, Viceroy of *America*, Knight of his Sacred Royal Majesty's Orders; and the *Sieur Honoric Courtin*, Counsellor of State to his Sacred Royal Majesty, and Master of Requests; and for the King of *Great Britain*, *Denzil Lord Hollis*, Baron of *Ifield*, one of his Majesty's most Honourable Privy Council, and the Honourable *Henry Coventry* Esq; Son of the Right Honourable *Thomas Lord Coventry* (in his life-time Lord Keeper of the Great Seal of *England*) Gentleman of the Privy Chamber to his Sacred Royal Majesty, a Member of the Honourable House of Commons, and Commissioner of the *Irish* Estates: who after they had exchange'd and communicated their full Powers to each other, Copys of which follow word for word at the end of this Treaty, have by common

the Kings of France and England. 129

on Consent and Agreement made a Treaty of Friendship and Alliance, upon these terms following.

In the first place, there shall be an universal, perpetual, and sincere Peace between the most Serene and the most Prince the most Christian King, and the most Second most Potent Prince the King of *Great Britain*, heirs and Successors; as also between their Kingdoms, isles, and Estates: which Peace shall sincerely and inviolably be kept and preserv'd; insomuch that one Party shall do all he can for the Benefit, Honour, and Good of the other: and that they shall live on both sides as Neighbours that have a mutual Confidence in each other, and in length the antient Friendship may resume its Force and Vigour.

All Enmitys, Hostilitys, Discords, and Wars shall be abolished, between the above-nam'd most Christian King and the King of *Great Britain*; insomuch that they shall for the future forbear to pillage, prey upon, and wrong or injure one another: no more are they to molest and incommode one another in any manner whatsoever, either by Sea or Land, or on Rivers, in any part of the world whatsoever, and especially within the Extent and Limits of their own Kingdoms, Lands, Signiorys, or any places.

All Offences, Injuriys, and Damages that have been done by the said most Christian King and his Subjects, the said King of *Great Britain* and his Subjects, on either side during the War, shall be forgot; insomuch that

ne Cause be what it will, neither the one King nor the other, nor any of their Subjects, shall for the future commit or suffer any Acts of Hostility and Enmity to or be any hindrance or molestation to one another. Navigation and Commerce shall be free between the Subjects of both the Kings, as it was during the Peace, and the Declaration of the last War; insomuch that all Ships may freely and without any molestation go with their Goods into each others Kingdoms, Provinces, Places of Commerce, Ports, Rivers, and there stay and traffick.

The Prisoners taken on either side, without any exception, be they of what degree or quality they will, shall without any delay be set at liberty, without paying ransom in Money or otherwise; but are requir'd to pay what they justly may owe for Victuals, or other

VI. All the Arrests and Edicts, which one of the Partys may have publish'd against the other, contrary to the Freedom of Navigation or Commerce, to the prejudice of the other, upon the account of the present War, shall on either part be null and void.

VII. The most Christian King shall give up to the King of *Great Britain*, or to those who shall be authoriz'd and receive Orders from him under the Great Seal of *England*, that part of the Isle of *St. Christophers*, which the *English* were in possession of the first Day of *January* 1665. before the declaring of the last War; and the Restitution shall be made as soon as possible, or at farthest within the space of six months, reckoning from the Day of the signing of this Treaty: And to this end the said most Christian King, presently after the same shall be ratify'd, shall give or cause to be given to the said King of *Great Britain*, or to the Officers deputed by him for that end, all such Orders and Instruments as are necessary, in their due and proper Forms.

VIII. Nevertheless in case the Subjects of the said King of *Great Britain* have sold the Estates they possess'd in that Island, and have actually been paid for them, they shall not repossess them by virtue of this Treaty; and they are not to be restor'd to them, till such time as they have really and actually repaid the Money which they had receiv'd for the Price of them.

IX. If it should so happen (which nevertheless is what is not yet known) that the Subjects of the most Christian King should have been driven out of the Island of *St. Christophers*, by the Subjects of the King of *Great Britain*, before or after the signing of this Treaty; things shall however be restor'd to the same state they were in, at the beginning of the year 1665. (that is, before the Declaration of the present War now ending) and the King of *Great Britain*, as soon as ever the same shall come to his knowledge, shall without any hesitation or delay put into the hands of the most Christian King, or his Officers who shall be empower'd by him for that end, all such Acts and Commands, dispatch'd in due form, as are necessary to the Restitution to be made and perform'd.

X. The said King of *Great Britain* shall also restore and give up to the above-nam'd most Christian King, or to those who shall be intrusted or sent by him, with Powers in due form under the Great Seal of *France*, the Country call'd *Acadia*, situate in *North America*, which the most

Christian King formerly enjoy'd: And the said King of *Great Britain*, in order to the completing of this Restitution, shall forthwith after the Ratification of this Alliance, deliver to the said most Christian King, all such Acts and Orders, expedited in due form, as are necessary for that end, or shall deliver them to those of his Ministers or Officers, who shall be appointed by him.

XI. If any of the Inhabitants of the Country call'd *Acadia*, shall rather chuse to live for the future under the Dominion of the King of *Great Britain*; they shall have liberty to depart the Country within the space of one Year, the same to commence from the Day wherein the Restitution shall be actually made. They may also sell and alienate their Lands, Fields, Propertys and Slaves; and in general, all their movable and immovable Goods, or otherwise dispose of them, according to their own will and discretion. And those who shall make any Contracts with them, are bound and oblig'd by the Authority of the most Christian King, to fulfil and execute their Agreements and Bargains. But if they shall rather chuse to carry away their ready Money, Movables, Utensils, Slaves, and in general every thing they enjoy that is movable; that they may freely do without any molestation or trouble.

XII. The most Christian King shall also restore to the King of *Great Britain*, in the form already mention'd, the Islands of *Antegoa* and *Montserrat*, if they are at this time in his possession; and even all the Islands, Countrys, Fortresses, and Colonys, which may have been conquer'd by the Arms of the most Christian King, before or after the signing of this Treaty: and such as were in the possession of the King of *Great Britain* before he began the War (which has an end put to it by this Treaty) against the States General of the United Provinces of the *Low-Countrys*. And the King of *Great Britain* shall reciprocally restore and give up to the most Christian King, in the form already express'd, all the Islands, Countrys, Fortresses and Colonys, in what part of the World soever they are situated, which he was in possession of before the first day of *January* 1665. and which might have been taken from him by the Arms of the King of *Great Britain*, before or after the signing of the present Treaty.

XIII. If any of the Slaves, which serv'd the *English* Inhabitants in that part of the Island of *St. Christophers* belonging to the King of *Great Britain*, and also of the Isles of *Antegoa* and

Montserrat, and had been taken by the Arms of the most Christian King, are willing to return again under the Dominion of the *English* (but yet without being put under any force or restraint) they shall be at liberty to do it within the space of six Months, to be computed from the Day wherein the Islands shall be surrender'd: But if the *English*, before they quitted the same, have sold any Slaves, and receiv'd the Money agreed on for them, they shall not be restor'd and given up to them, but upon condition that they do reimburse and pay back the price they have receiv'd for them.

XIV. In like manner, if any of the Subjects of the King of *Great Britain* (who are not in the nature of Slaves) have been necessitated as Hirelings to serve for Soldiers, Planters and Labourers, or in any other condition, either the most Christian King, or any of his Subjects living in those Islands, upon the terms of Wages for the Year, Month or Day; such Bargains and Agreements for Wages and Hire, shall cease after the restoring of the Islands, by paying off the Wages of those who had so been hir'd, in proportion to their Pains and Work: And they are to be at liberty to return with their Country-men, and to live under the Dominion of the most serene King of *Great Britain*.

XV. All that has been agreed on and concluded concerning the Islands above-nam'd, and the Subjects which inhabit them is also to be understood, as agreed on and concluded concerning all the Islands, Countrys, Fortresses, Colonys, Subjects and Slaves that dwell therein, which the most Christian King has taken and conquer'd, or made himself Master of by his Arms, before or after the present Treaty shall be sign'd, provided that the King of *Great Britain* was in possession of them before he began this present War (which terminates with this Treaty) against the Lords the States General of the United Provinces of the *Low-Countrys*; and the same is reciprocally intended and meant, in respect of the Islands, Countrys, Fortresses, Colonys, Subjects and Slaves which dwell therein, and were in possession of the most Christian King before the first of *January*, 1665. of whom the King of *Great Britain* may have made himself Master, or shall do before or after the signing of this Treaty.

XVI. All the Letters, as well of Reprisals as of Mart and Contramart, which hitherto have been given on either side, be the Cause or Subject what it will, shall be annul'd, castrated

ed and of no effect, and shall be deem'd as such; and of the two Kings shall for the future give out any against the Subjects of the other, if in the first place a of Justice does not manifestly appear, which yet ot be taken for granted and past all doubt, unless ition and Request of the Person who desires such of Reprisals hath been shew'd and presented to the r or Officer, who is on the spot in behalf of the gainst whose Subjects such a Request is made and in; that so this Person may in the space of four Months, er, be able to inform himself of the contrary, or bring s so to bear, that the Defendant shall satisfy the De- of the Person that su'd for such Reprisals: And if d so happen that the King, against whose Subjects etters of Reprisals are su'd for, has no Minister or in that place; there shall be none granted him, r the Expiration of four Months, to commence from y that such an humble Petition has been presented w'd to the King, against whose Subjects they are de- l, or to his Privy Council.

I. And in order to cut off all manner of Contention, its and Wranglings that may arise upon the account ring of Ships, Goods, and other things that are of ure of Movables, and which after the concluding ning of the Peace, and before it can come to the dge of those who are in foreign Countrys and remote of the World, shall be taken by either the one Party other, and of which Complaints may be made; all Merchants Goods and other Movables, that after ing and publishing of this Treaty, may be taken on de, shall remain in the possession of those who have them, within twelve Days only, in the neighbour- , and within six Weeks in the Seas as far as *Cape Str.* , and within the space of three Months beyond the e, and on this side the Line or Equator, as well in an as Mediterranean, and elsewhere: And lastly, the space of six Months beyond the Line, all the over, without any Exception, or more ample Dif- of time and place, and without regard to be had to titution or Compensation.

II. If it should come to pass (which God forbid) mirys and Misunderstandings should again arise be- the two Kings, so as to proceed to open War; the Goods and other Movables, of either of the Partys

which shall happen to be in any of the Ports and Places belonging to the adverse Party, shall not be confiscated or damnify'd; but the term of six whole Months shall be allow'd the Subjects of both the said Kings, without any Let or Molestation, to carry away, withdraw their Goods as before specify'd, and all their other Effects, whithersoever they please.

XIX. All those who before the exchange of the Ratification of this Treaty, or six Months after, that shall be nominated by the common consent of both Partys, shall be comprehended in this Treaty: Nevertheless, as those who have thus treated together, do gratefully acknowledge the sincere Offices and continu'd Zeal of the most serene King of *Sweden*, who by his Mediation, and the assistance of the Divine Power, hath forwarded this good Work of Peace, and brought the same to the desir'd and long'd-for Issue; they, therefore, to manifest the like Affection for him, have resolv'd and determin'd with one common consent, that his said Sacred Royal Majesty of *Sweden* shall be comprehended in the present Treaty, in the best form that can be, together with all his Kingdoms, Lordships, Provinces, and all the Rights appertaining to him.

XX. And to put the last hand to this Treaty and Alliance, the solemn Ratifications expedited in good and authentick Form shall be produc'd on both sides in this Town of *Breda*, and reciprocally and sincerely exchange'd, within the space of four Weeks, to commence from the Day of the signing of the Treaty, or sooner, if it be possible.

For the better confirming of all and every one of the Particulars above-mention'd, and in order to give them the greater Authority and Force, We the Ambassadors Extraordinary and Plenipotentiarys, in conjunction with the most illustrious and most excellent Ambassadors Extraordinary and Mediators, have sign'd the present Treaty, and thereto put our Seals. Done at *Breda*, July 31, N. S. and the 21st, O. S. in the Year 1667.

(L. S.) *Flemmingh.* (L. S.) *d'Estrades.* (L. S.) *Hollis.*
(L. S.) *Ch. Delphique.* (L. S.) *Courtin.* (L. S.) *Henry Coventry.*

An Act of Publication made at Breda, on the part of the Ambassadors Extraordinary and Plenipotentiarys of France.

BE it known, that a Peace, Alliance and good Correspondence has been concluded and sign'd, *July 31st, N. S.* and the *21st* of the same Month, *O. S.* between the most high, most excellent and most potent Prince *Lewis*, by the Grace of God, King of *France* and *Navarre*, our Sovereign Lord; and the most high, most excellent and most potent Prince *Charles* by the same Grace of God King of *Great Britain*, their Kingdoms, Countrys and Territorys subject to them: the Liberty of Commerce is restor'd between the Subjects of the said Kingdoms, in the same State as it was before the last War: and that the Publication made by common consent may serve for a Rule for the future, as to the Limitation of the Terms; during which according to the Tenor of the seventeenth Article of the said Treaty of Peace, there shall be no Reparation made for Ships that have been taken; the first of these Terms shall commence on the *5th* of *Septemb. N. S.* and the *26th* of *August, O. S.* this Year, in the neighbouring Seas, which extends to *St. George's Channel* between *England* and *Ireland*, to the *North Sea*, and to the *Baltick*; the *4th* of *Octob. N. S.* and the *24th* of *Sept. O. S.* from the said Neighbouring Seas, as far as *Cape St. Vincent*; the *1st* of *Nov. N. S.* and *22d* of *Octob. O. S.* from *Cape St. Vincent*, as far as the *Equinoctial Line*, as well in the Ocean as the *Mediterranean*; the *24th* of *Feb. N. S.* or the *14th, O. S.* on the other side of the Line, and all the World over. Done at *Breda, Aug. 24th, N. S.* and *14th, O. S.* in the Year 1667. Sign'd, d' *Estrades* and *Courtin*, and seal'd with their Coats of Arms.

A Treaty of Alliance between Charles II. King of Great Britain, and the United Provinces of the Low-Countrys, into which Charles XI. King of Sweden, afterwards entred, being that which was call'd the Triple League; concluded in January, 1668.

SEEING that by the Peace concluded not long ago at *Breda*, between the most serene and most potent Prince *Charles II. King of Great Britain*, on the one part, and the high and mighty Lords, the States General of the United Provinces, on the other; the antient Friendship and good Correspondence between the two Nations, has by the Grace of God been restor'd; insomuch, that in order for the future quiet, to cut off all manner of occasion for new Differences, that might arise between the Subjects of both Nations, and so interrupt the said Friendship and good Correspondence; they in like manner agreed on certain Articles and Rules for Navigation and Commerce: and more particularly by the eleventh Article of the said Treaty it was concluded, that the said King, and the said Lords the States General should remain Friends, Confederates, and strictly united in a way of Friendship and Necessity, for the Defense of the Rights and Immunities of the Subjects of both Nations, against any whosoever they may be, who shall endeavour to disturb the Peace and Tranquillity of either State by Sea or Land, or who living in the Dominions of either Party, shall be declar'd publick Enemies of either of them. But there having been no Aid nor Methods particularly agreed on, by which one Party ought to succour the other in such a case; it's agreed by the said King of *Great Britain*, and the said States, for the better confirming and strengthening of the said Confederacy in the first place, and before all other things, that the said Treaty

concluded

concluded at *Breda*, and the said Regulations relating to Navigation and Commerce, be confirm'd as the same is hereby confirm'd by mutual and an indissoluble Obligation, faithfully to observe and fulfil the same; and requiring, that the Subjects on both sides do religiously and exactly observe and fulfil it according to the genuine Sense and Tenor of the said Treaty, and the said Articles.

That therefore it may appear, there is a greater Increase of Friendship between the said King and the said Lords the States General, by their concerting proper Measures for their mutual Defense, which was omitted in the former Articles; and that by a stricter League and Union full Provision may be made for the mutual Security and Defense of both their Dominions, against the restless Endeavours and hostile Insults of any other whatsoever, be it under what pretence it will: we the under-written, by virtue of the Mandates and full Powers given us, and hereto annex'd, do agree and conclude, that the said King of *Great Britain*, and the said Lords the States General of the United Provinces, are ally'd, united and confederated, even as they are bound, united and confederated, by a *perpetual defensive League*, upon the following Terms and Conditions.

I. If any Prince or State, or any other Power whatsoever, let it be what it will, *without any Exception*, shall under any pretence whatsoever, invade or endeavour to invade the Territorys and Countrys, or any Place under the Dominions of the said King of *Great Britain*, or perform any hostile Act whatsoever, against the said King and his Subjects, either by Sea or Land, the said Lords the States General shall be oblig'd, as they are by virtue of these Presents, to assist the said King, in order to withstand, oppose and repel those Insults and hostile Acts, and to obtain due Reparation for the loss sustain'd, with 40 Men of War well fitted out, of which 14 are to carry between 60 and 80 great Guns, each having 400 Men on Board, making larger or smaller Allowances and Distributions to those that can carry more or less Soldiers and Seamen, as they are; 14 more are to carry from 50 to 60 Guns, and at least 300 Men, making right Distributions of the Men, as aforesaid: None of the rest are to carry less than 36 Guns, and 150 Men. Over and above this, they are to supply the said King with 6000 Foot and 400 Horse, or pay as much Money as such a Body of Men will justly cost as the said King shall chuse, or such a part of the said Auxiliaries, or
the

the said value in Mony, at the choice of the said King: The said Auxiliaries shall be ready within six Weeks space after they are demanded, and all the Charges shall be refunded to the States by the said King, three Years after the War is ended.

II. If any Prince or State, or any other whatsoever, without any Exception, be it under what pretence it will, shall invade, or endeavour to invade the Confederate Provinces, or any Places under the Dominion of the said Lords the States General, or wherein their Soldiers shall be in Garrison, or shall commit any hostile Act whatsoever, either by Sea or Land, against the said Lords the States General, or their Subjects; the said King shall be oblig'd, as by virtue of these Presents he is oblig'd, to assist the said Lords the States General, to withstand, suppress and repel those insults and hostile Acts, and to obtain due Reparation for the loss sustain'd, with 40 Ships of War well fitted out, of which 14 shall carry from 60 to 80 Guns, and each Ship 400 Men; but yet making a distribution of the Soldiers and Seamen between those of a greater and lesser Burden; 14 more from 40 to 60 Guns, and 300 Men at least, to be distributed as aforesaid; and none of the other Ships shall carry less than 36 Guns, and 150 Men. Over and above this, he shall furnish them with 6000 Foot and 400 Horse, or the just value of the same in Mony, as the said States shall chuse, or part of the said Auxiliaries, or the said value in Mony, as they shall require it. The said Auxiliaries also shall be furnish'd within six Weeks Space after they are demanded, and all the Charges shall be refunded to the said King by the said Lords the States, within three Years after the War is ended.

III. The said Men of War, and the Auxiliary Troops both Horse and Foot, and the chief Commanders of the Ships and Forces, together with the other inferior Officers, shall be oblig'd to be commanded by, and obey the Party that hath been attack'd and injur'd, and be subject to the Orders of him or them who have the chief Command over the Army or Fleet, by Sea or Land.

IV. But to the end that an exact Computation may be made of the Charges to be paid within three Years time after the Conclusion of the War, or else of the just value of the same in Mony, which the Party that has been attack'd, either in the whole or in part, may chuse as he sees fit, instead of the said Ships, Horse and Foot; it's agreed, that

that the Charges of 14 Men of War, from 60 to 80 Guns, shall be set at Eighteen Thousand Six Hundred and Sixty Six Pounds Sterling of *English* Mony, and of those 14 from 40 to 60, at Fourteen Thousand Pound Sterling; but the other 12, at Six Thousand Pounds in the same Mony: The charge of 6000 Foot to be Seven Thousand Five Hundred Pounds Sterling, and of the 400 Horse a Thousand and Forty Pounds of the same Mony for every Month; all which shall be paid by the King of *Great Britain* at *London*, and by the said Lords the States at *Amsterdam*, according to the course of the Exchange at that time, when the Payment shall be made; but for the first Month there shall be Six Thousand Pounds Sterling paid over and above for the said Foot, that being necessary for raising and arming them.

V. This League, and all and every thing contain'd therein, shall be confirm'd and ratify'd by the said King of *Great Britain*, and the said Lords the States General of the United Provinces, under their respective Great Seals, in due and authentick Form, within the space of four Weeks, or sooner if possible; and Instruments of the said Ratifications shall be mutually exchange'd within that time.

Articles concerning the Conduct they are to use towards the Kings of France and Spain, in tending the Alternative to them, in order to bring them to conclude a Peace.

THE most serene and most potent Prince, *Charles II.* King of *Great Britain*, and the high and mighty Lords the States General of the United Provinces, considering and revolving with much Grief upon the Miserys and Calamitys of War, which lately was kindled between the two Crowns, and which by a sort of inevitable Necessity involv'd the greatest part of the Princes and States of *Christendom* in the same Misfortune, whereby the Flame was creeping on to catch the Neighbourhood, unless timely and seasonably extinguish'd; have look'd upon themselves as very defective in the exercise of their good Offices and Powers given them by God, if after the Amity that has happily been restor'd, under the Auspices of Divine Providence, and the antient Alliance renew'd between *Great Britain* and the States General; and that at the same time, the antient Friendship had been settled between four great Powers, who were en-

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gag'd in that bloody War, they did not sedulously apply their Minds, and use all their Industry, in composing the Differences arisen between the said two Crowns, especially so as to put an end to the said War kindled on the Frontiers : Moreover, seeing the most serene King of *Great Britain*, and the high and mighty Lords the States General of the United Provinces, have, after much labour and various Sollicitations, brought the most Christian King to promise the States General, That he from henceforward would lay down his Arms, provided the *Spaniards* were ready solemnly and fairly to yield unto him, by a Treaty of Peace, all the Places and Fortresses, as also Chastellanys with their Appurtenances, which he had the preceding Campaign seiz'd on and conquer'd with his Arms ; or that the *Spaniards* might be mov'd to transfer to him all their Right in the Dutchy of *Luxemburg*, (or in the Dutchy of *Burgundy*) besides *Cambray*, with the *Cambresis*, *Doway*, *St. Omers*, *Berg St. Wynox*, *Furnes* and *Link*, with their Bayliwicks, Chastellanys and Appurtenances ; and that the most Christian King in case the last be done, shall restore to the King of *Spain* all the Places and Territorys belonging to the King of *Spain*, which the *French* have conquer'd since their invading of *Flanders*, upon condition that their High Mightinesses the States General shall reciprocally take care and satisfy the most Christian King, that they will bring the *Spaniards* by Arguments, and other Motives, to comply with the same Terms ; they are of opinion, that they in this Juncture should use their best Endeavours, not only with both the said Kings, but also, in Conjunction and by Communication of Counsels with other neighbouring Princes and States, frequently to stir up the said two Crowns to make a Peace upon the Terms and Conditions before-mention'd, To which end, we whose Names are subscrib'd, having full power for it, have agreed upon these following Articles and Terms.

I. That the King of *Great Britain*, and the States General of the United Provinces, shall conjointly or separately, and by a free Communication of Counsels, and pursuant to what shall be mutually agreed on, use all their Industry and Interest with the most Christian King, that he will in due, lawful and solemn Form, assure and promise the King of *Great Britain*, and the States General, that he will make Peace with *Spain*, without any Exception or Dispensation on any account whatsoever, if the King of *Spain* can be
excited

excited and induc'd, by the King of *Great Britain* and the States General, to yield to the most Christian King, either the Places conquer'd the last Campaign by his Arms in the *Netherlands*, or some other Equivalent, by surrendring up the Places above-mention'd, or others in lieu of them, as the Partys shall mutually agree among themselves.

II. That the most Christian King would consent to a Cessation of Arms in the *Netherlands*, to the end of *May*: That in the mean time the King of *Great Britain*, and the States General, may constantly use all their Endeavours and Industry with the King or Queen Regent of *Spain*, and his or their Counsellors, so as to give their Consent to the aforesaid Terms.

III. That the most Christian King may have no just cause to refuse the said Cessation, the King of *Great Britain*, and the States General, do by the same Treaty bind themselves, that every thing taken by the Arms of *France* last Campaign, or another Equivalent mutually to be agreed on, shall really and effectually be yielded to *France*.

IV. That the most Christian King be induc'd and excited to give Credit to, and to have intire confidence in the said Promise; and that from thence forward his Arms shall cease to act in the *Netherlands*: but yet that if contrary to all Hope and Expectation, the King of *Great Britain*, and the States General, cannot by their Exhortations and Engagements, induce the *Spaniards* before the end of *May* next to give their Consent to the said Conditions of Peace, but that there will be a necessity thereupon, of taking more efficacious Measures; nevertheless, the *French* shall not move nor make any progress with their Arms, within the Confines of the *Netherlands*; but the King of *Great Britain*, and the States General, shall bind and take upon themselves to effect all that shall be necessary, to bring the *Spaniards* to accept of the abovesaid Articles of Peace, and so that it shall not be free for the most Christian King, to commit any Acts of Hostility in the said Countrys, nor seize any Town, tho it yields of itself, unless the King of *Great Britain* and the States cease and fail to perform the Agreement now spoken of.

V. When a Peace is concluded between the two Crowns, not only the King of *Great Britain* and the States General shall be Guarantees thereof, but also the Emperor and all the neighbouring Kings and Princes, who think themselves interested therein, that so *Christendom* may remain undisturb'd,
and

and the *Netherlands* be restor'd and continu'd in its former Tranquillity; to which end the number of Forces and other things shall be ascertain'd that are to be made use of against either of the Partys, who shall infringe or violate the Peace, and Reparation made to him that is injur'd.

VI. All and singular the things contain'd in these Articles, shall in due and authentick Form be confirm'd and ratify'd, within four Weeks after the date hereof, and sooner if that can be done, by the said King of *Great Britain*, and the said Lords the States General of the *United Provinces*, under their respective Seals; and the Instruments of Ratification shall be exchange'd within that time.

In witness of all and singular the Premises, and to give them the greater efficacy, we have sign'd and seal'd them. Done at the *Hague in Holland* the day of *January*, 1668. Sign'd,

(L. S.)

Temple.

A Declaration of Charles XI. King of Sweden, upon his entring into the preceding Alliance between England and Holland.

SEEING the King of *Great Britain*, and the States General of the *United Provinces*, have been very desirous that the King of *Sweden* should, together with those two Powers, become a Principal in the League agreed on and sign'd this day by their Deputys and Plenipotentiarys, by which means a sudden and safe Peace may be made between the two neighbouring Kings, and that so, by the divine Blessing, the publick Tranquillity may be restored throughout *Christendom*: Besides, seeing the King of *Sweden* himself, even from the beginning of those Troubles, which brake forth between the said two Kings, hath testify'd as well to the King of *Great Britain*, as to the States General, the real and sincere Purpose and Design he had to associate himself, and to join in with them in the said Affair; and that out of regard to the strict Union, and those Leagues, by which he acknowledges himself to be bound to them for their common Good, so as that he should labour by this Intervention, and other proper and just methods, to restore a Peace between the two Kings; neither hath he hitherto been impeded by any difficulty to declare his

his mind concerning the whole Affair, saving that he waited to be certainly inform'd, what firm and deliberate Resolutions the King of *Great Britain* and the States General would take, in reference to this whole Affair; as also until the Subsidys, and other things of that kind might be forwarded: Concerning which the said King of *Sweden* desires to be satisfy'd, that so he may proceed in this Affair upon an equal Foot with the King of *Great Britain* and the States General. Wherefore it's thought fit for the common Good, that this Instrument be sign'd between the Deputys and Plenipotentiarys of the Kings of *Great Britain* and *Sweden*, as also of the States General of the *United Provinces*; by which the King of *Sweden* on the one part, shall be oblig'd, in consideration of the said Satisfaction, to engage in the said League, and contribute to the Promotion and Maintenance of the same, acting therein in concert with the said King of *Great Britain*, and the said Lords the States General, who have laid themselves under an equal obligation to promote so useful an Affair; and on the other part, the King of *Sweden* was to be assur'd, that there was a vacant Place left for him, in order to be inserted among the Principals of this League, to do which he is in the most friendly manner desir'd by the King of *Great Britain*, and the Lords the States by these Presents: which two Powers shall freely use all their good Offices with the Emperor and the King of *Spain*, that some Controversys, which may be on foot between the King of *Sweden* and them, may be made up as soon as possible, and determin'd according to Justice and Equity. But as to the Subsidys which the said King of *Sweden* pretends, the States General of the *United Provinces* shall not fail forthwith to dispatch necessary Orders to their Ambassadors in the Court of *Great Britain*, that so all things that are necessary and proper upon that account, may be adjusted between them and the Commissioners to be appointed by the said King of *Great Britain*, and between the Ambassador Extraordinary of the King of *Sweden*, who is now going thither from *Holland*, and other Ministers of Princes or States residing there, whom the Negotiation may concern and affect; so as that the League now mention'd may, as soon as possible, obtain the Substance and Form of a Triple League, into which all Endeavours shall be us'd by all Partys to invite their Friends and Allys, that are willing to have a share in the

the same. Given at the *Hague*, January $\frac{23}{11}$, 1668.

Christopher Delphicus,
Baron and Count *Dhona,*
Harald Appleboom.

Gellicum,
B. d' Asperen,
Johan de Wit,
M. van Crommen,
Adolph. van Onkel,
Johan. Schrieck.

Secret Articles, that are to have the same Virtue and Authority, as if they were inserted in the Treaty, concluded this day between the King of Great Britain and the States General.

I. **A**S in consequence of a Peace between *France* and *Spain*, some difficulty may arise upon account of Renunciation, the matter shall be regulated in such a manner, so as if no mention had been made of it in the Treaty, or that the Form thereof shall be drawn up in such Terms, as that the Right of neither of the two Crowns should suffer any Increase or Diminution; and in case the King of *Spain*, or he of *France*, will not give his Consent to it, the King of *Great Britain*, and the States General of the *United Provinces*, will proceed against the Refusers, as 'tis agreed between them by the third, fourth and last Articles respectively; but yet upon condition, that if the King of *Spain* refuses, the King of *France* reciprocally be oblig'd not to make use of his Arms in the *Low Countries*.

II. That the King of *Great Britain*, and the States General of the *United Provinces*, to the end that both the one and the other Party may be satisfy'd, shall be oblig'd to do all that lies in their power, that a Peace be made between *Spain* and *Portugal* at the same time; upon condition nevertheless that *France* does engage again, that in case this Negotiation cannot so soon be brought to a Conclusion, notwithstanding the Peace made between *France* and *Spain*, it shall be free for the most Christian King to send Succour to the King of *Portugal* his Ally, in order to give a Division to the Forces of the Enemy, or after some other manner, as shall be most proper and advantageous to him; And in case *Spain* be brought to consent to the Peace upon the foresaid Terms, and that the same be concluded; the most Christian King shall be obliged to be quiet, and not to inter-

intermeddle with the Affairs of the *Netherlands*, seeing the same are quite appeas'd; and it shall not be lawful for him, upon any account, to attempt any thing against the said *Netherlands*, either by open Force or Artifice: neither shall he demand any Satisfaction, under pretence of Expences or Disbursements he may have been at, on account of the War in *Portugal*, neither for the levying of Soldiers or otherwise. If it should happen, things being in the Posture aforesaid, that the Auxiliary Troops of *France* should seize on some Places in *Spain* or *Italy*, the most Christian King shall restore them to *Spain*, as soon as the Peace is made with *Portugal*: But if, contrary to all Expectations, *Spain* shall neglect to make Peace with the King of *France*, with this Exception, that it shall be lawful for him as aforesaid, to succour his Ally; the King of *Great Britain* and the States General, in this unexpected Case, shall be oblig'd to manage things so as to bring *Spain* to a compliance, but yet so as that the War shall not be carry'd into the *Netherlands* as aforesaid.

III. In case that, contrary to all Expectation, the most Christian King will not promise to sign the Treaty of Peace as soon as *Spain* shall yield and quit her Pretensions to the Places *France* has taken in the last Expedition, or an Equivalent, which shall be particularly agreed on; or that she will not make good her Promises, or reject the Securitys and Preliminarys set down in the said Treaty, and which are necessary for the preventing of what may be justly fear'd to happen; to wit, that the most Christian King should persist to carry his victorious Arms further into the said *Netherlands*; that *England* and *Holland*, upon all these occasions, as also if by any Subterfuges or Artifices he shall contribute to prevent or elude the Conclusion of the Peace, shall be oblig'd to side with *Spain*, and make War against *France* with their united Forces both by Sea and Land, not only upon the Conditions aforesaid; but if it please God to favour the Arms they have taken up to this end, and if they shall think it proper and convenient, they shall continue the war till things be reduc'd to the Condition they were in at the time of the *Pyrenean* Treaty. Done at the *Hague* in *Holland*, January 23, 1668. Sign'd,

Temple.

Treaty of Commerce

A Treaty of Commerce between Charles II.
King of England, and the United Pro-
vinces of the Low Countrys, concluded
at the Hague, Feb. 17, 1668.

SEEING that, by the Grace of God, and for their mutual Good, as well as for the benefit of *Christendom*, and the necessity of the times, a defensive Alliance has been concluded and sign'd on the 23^d day of January last, between the most serene and most potent Prince Charles II. King of Great Britain, and the high and mighty Lords the States General of the United Provinces; by which they were to grant strong Succours to one another by Sea and Land; and that by another Instrument on the same day, the said King and States General covenanted and entered into an Agreement about securing the Peace and Tranquillity of *Christendom*; and that there seems nothing more to remain, that can at any time interrupt the Union and Friendship that has so readily on both sides been maintained and restor'd between them, unless some Disputes may haply arise about Traffick and Merchants Goods coming from one Place to another, which may also be promoted the same on either side: The said King, and the said being desirous to cultivate the Friendship newly contracted between them, not only for the present, but future and so not only to pluck up all Seeds of Dissension among them, but even quite to cut off all manner of Expectations of whatever may tend to the weakening and dissolving the said Friendship by new Strifes; but have agreed on the following Articles, which shall be observed as a Rule to govern all and constantly be observ'd as a Rule to govern Maritime Affairs and Traffick, or until such the common Consent of both sides, Commissioners appointed to settle and agree upon a fuller Trading all these things and the Laws of Navigation and other Experience may be found of most Use and to both Parties.

I. It's free and lawful for all the Subjects and Inhabitants of *Great Britain*, with all manner of Freedom and Security, to sail to and traffick in all the Kingdoms, Dominions and States, between which and the Kingdom of *Great Britain* there is Peace, Friendship or Neutrality, or shall be for the future: neither shall they be disturb'd or interrupted in the said liberty, by Men of War, Gallies, Fly-Boats, or other Ships of the States General, or their Subjects; if it should so happen, that a War should break out between the said States on the one part, and the said Kingdoms, Dominions and States on the other, which are in Alliance with *Great Britain*, or cultivate Friendship, and observe a Neutrality with it.

II. This Freedom of Navigation and Commerce shall extend to all kinds of Merchandize, except those only which are call'd Contraband.

III. In that number are only comprehended all manner of Fire-Arms, and what belongs to them, as Machines or Cannon, Mortars, Petards, Bombs, Granadoes, Stink-Pots, Muskets, Belts, Powder, Ropes, Saltpeter, Spears, Swords, Galls, Helmets, Bridles, Battle-Axes, Lances, Horses, Horse-Accoutrements, Horse-Carabines, and their Appurtenances, Saddles, and other Instruments, which receive their Make from, or may be us'd in War; call'd in *French*, *Assortiments servans a l'usage de la Guerre*.

IV. Corn, Wheat, and other Grain and Pulse, Oil, Wine, Salt and Provision in general, or any thing appertaining to the Sustainance and Support of Life, are not included among prohibited Merchandize; but they as well as all other Merchandizes whatsoever, which are not enumerated in the preceding Article, shall be wholly free, and the People at liberty to carry any sorts of them to those Places that are at Enmity with the States, except only such Towns and Places as are besieg'd, block'd up, or invested.

V. To the end that the things aforesaid may be justly and regularly observ'd, it's covenanted and agreed, that those *English* Ships or Vessels, that shall enter laden into any of the Ports of the States, with an intention to sail from thence to such Places as are at War with them, shall only be oblig'd to produce their Passports to the Officers of the States in that Port; which contain an Inventory of the Goods and Merchandizes on board the said Ships, attested under the common Seal of the Officers of the Customhouse or Admiralty of that Place from whence they

set sail, with a specification of the Place whither bound, and that in the ordinary and common form; all those Ships, after the producing of their Passports, shall not be molested, detain'd or hindred from pursuing their intended Voyage, under any pretence whatsoever.

VI. In like manner those *English* Ships and Vessels, that ride in the Bays, or like Places, appertaining to the Dominions of the said States, which yet have neither any Intention to enter into Port, or when enter'd to unlade their Cargo, shall not be bound to give an account of the Cargo aboard, unless they are suspected of a Design to carry contraband Goods to the Enemys of the States as aforesaid.

VII. But in case of a lawful Suspicion, the Subjects of the King of *Great Britain* are bound to produce their Passports in the Ports, according to the form already prescribed.

VIII. But if they draw near to the Sea-Coasts, or meet in the open Sea with the Ships of the States or their Subjects, those who have fitted out those Ships at their own private Charge, and yet have publick Passports, that they may avoid all Inconveniences, the Ships of the States, or their Subjects shall not come within Gunshot of the *English*, but send out a Boat, and be at liberty with two or three men only to enter the *English* Ships or Vessels, to whom the Captain or Master shall produce his Passports as aforesaid, as also Testimonials from the Admiralty about the Propriety of the Ships, according to the form annext hereunto; that so not only the Burden may be known, but also the Habitation of the Captain or Master, as also the Name of the Ship; that by these two ways it may be known whether they carry any prohibited Goods to the Enemy, as also the Condition of the Ship, and of the Captain or Master may plainly appear: and all manner of Credit is to be given to the said Passports and Testimonials. But that they may be the more sure of the Truth of them, there shall be certain Royal Marks and Signs to them to clear them of any Suspicion of Falshood.

IX. But if any prohibited or contraband Goods shall be found, in the manner aforesaid, in *English* Ships or Vessels, that are bound to the Ports of the Enemys of the States, they shall be taken out of the said Ships, Judgment shall be given against them by and before the Judges of the Admiralty or others, to whom the matter is cognizable;

ble ; but yet neither the Ship nor Vessel, nor even any of the Merchandize that is not prohibited or contraband, and found in the Ship, shall be condemn'd or forfeited.

X. Moreover 'tis agreed, that what is found to be sent by the Subjects of the King of *Great Britain*, in a Ship belonging to the Enemys of the States, tho it be not of the number of contraband Goods, it shall be forfeited and condemn'd, together with the rest of the Merchandize on board the said Ship, without any exception. But on the other hand, whatever is found on board the Ships of the Subjects of the King of *Great Britain*, tho the Lading, or part thereof, belongs to the Enemys of the States, shall be free and unmolested, except there be prohibited Goods, which are to be serv'd in the manner prescrib'd in the foregoing Paragraphs,

XI. The Subjects and Inhabitants of the *United Provinces* shall reciprocally enjoy the same Rights, Libertys and Immunitys in point of Navigation and Trade, on the Coasts, Ports and Roads in the Sea and Dominions of the King of *Great Britain*, as the Subjects of the said King are, as aforesaid, to enjoy in those under the Dominion of the States, as also on the High Seas : for a mutual and reciprocal Equality is to be understood in every thing, even in that case wherein the States shall hereafter cultivate Peace and Friendship, or observe a Neutrality with the Kings, Princes and States, which shall wage War against the King of *Great Britain* ; so that both Partys shall sincerely enjoy the same Conditions and Limitations, as are contain'd in these Articles, and have a reference to Trade.

XII. And that the safety of the States General may be sufficiently provided for, so as no Injury nor Violence be offer'd to them by the Men of War or other Ships belonging to the said King of *Great Britain*, or his Subjects, the Commanders of the Men of War, and the Officers or Masters of other Ships that shall be fitted out at other Peoples Charge, shall be enjoin'd to offer no Injury, or do any Damage to the Subjects of the States General ; and if they do otherwise, they shall not only be punish'd, but be answerable for all the Loss, and make Satisfaction for the same by way of Reparation and Restitution, under the obligation of Body and Goods.

XIII. For this reason the Commanders or Captains, and such as fit out Privateers, shall be oblig'd for the future, before they put to Sea, to give sufficient Security before

proper Judges, to the value of 1500 *l.* Sterling, or 15000 Livres, that so the Damages and Injurys which perhaps may be done by them, while out at Sea, may be fully repair'd; and that those things which are committed by the Commanders, and him or them under them, against this Treaty, the Laws and King's Proclamations, which shall be publish'd according to the force and vigour, and pursuant to the Disposition of this Treaty, shall be under the penalty of losing their Commissions, and the leave that was given for such Privateering.

XIV. But if a Commander of any *English* Ship shall take a Vessel laden with the said prohibited Goods, he shall not be allow'd to open the Chests, Cases, Bags and Vessels, or sell, barter, or any way make away with them, before they are first open'd ashore, in the presence of the proper Officers for Prizes; and that they may make an Inventory of the Goods taken in the said Ship, unless the prohibited Merchandize makes only but part of the Lading, the said Goods are presently to be unladen and taken out, that he may have the less hindrance in his intended Voyage; besides which no other Trouble is to be given him, or Let in his Voyage.

XV. The King of *Great Britain* being desirous to shew the same favour to the Subjects of the States General, in all the parts of his Dominions, and by his own Subjects, will take care that Right shall be done pursuant to the Rules of Justice and Equity, in respect to all Prizes that are or shall be taken at Sea by unsuspected Judges, and by such that shall be no ways interest'd in the Cause before them; and that the Sentences that are already, or shall hereafter be pronounc'd, shall be justly and regularly executed, and have their due Effect, as the Tenor of them does require.

XVI. Whenever the Ambassadors of the States, or their other Ministers, appointed by publick Authority, residing at the Court of the King of *Great Britain*, shall complain of the Injustice of the Sentences which have been given, the King shall command the same to be review'd and examin'd again before his Council, that so they may see whether the Rules and Articles of this Treaty have been observ'd by them and the matter be so rectify'd according to Justice and Equity, and that within the space of three months; but that in the mean time the controverted Goods shall neither before nor after the Sentence given, during the Review of the Cause, be sold nor dispos'd of, unless it be with the Consent

Consent of the Partys interested therein, except the Goods decay perhaps by keeping them, or that some other Damage happen to them.

XVII. When a Suit is commenc'd in the first or second Instance, between those who have privateer'd at Sea on the one part, and between those who are interested therein, and oppose the Confiscation of the Goods on the other, and that it should happen that these last shall get the better, and obtain Judgment in their Favour; the Sentence upon giving Security shall be put in execution, tho the other appeal to a higher Court, but not against the Opponents, if the Sentence shou'd be pronounc'd. Moreover, this and all that is agreed on by the preceding Articles, about doing Justice sincerely, and without any shifting and delays, to the Subjects of the States General, when their Ships or Goods shall be taken by the Subjects of the King of *Great Britain* at Sea, shall in like manner be observ'd by the States General, in respect to the Suits of the Subjects of his Majesty, whose Ships and Merchandizes shall be taken at Sea by the Subjects and Inhabitants of the *United Provinces*.

XVIII. But seeing the Conveniences and Inconveniences of all Pacts and Conventions cannot be thorowly discern'd, but in process of time, and by mutual Experience and Discoverys; it's therefore agreed between the said King of *Great Britain*, and the said Lords the States of the *United Provinces*, that at what time soever both Partys shall think fit by common Consent, Commissioners shall be delegated and appointed, whose Business and Care it shall be to supply whatever Defects shall be found in the aforesaid Articles, and also to alter and limit whatever shall be thought incongruous and inconvenient to both Partys, and justly to settle and conclude a fuller Treaty concerning all these things, and the Rules of Navigation.

XIX. These Articles, and all and every thing contain'd therein shall be confirm'd and ratify'd by the said King of *Great Britain*, and the said Lords the States General of the *United Provinces*, under the Great Seal of both Partys, in due and authentick form, within the space of four Weeks, or sooner if possible, and the Instruments of Ratification shall likewise be exchange'd within that time.

A Treaty between Lewis XIV. of France, Charles II. King of England, and the United Provinces of the Low Countrys, for procuring a Peace between France and Spain. Done at St. Germain en Laye, April 15, 1668.

THE King of *Great Britain*, and the Lords the States General of the *United Provinces of the Low-Countrys*, having in the end of *February*, sent *M. Van Beuninghen*, and *Sir John Trevor*, their respective Ambassadors and Extraordinary Envoys to the most Christian King, with an Offer to imploy their Endeavours and good Offices for the speedy Re-establishment of the publick Tranquillity, by concluding a good Peace between him and the Catholick King : And the said most Christian King having thereupon kindly receiv'd the Offers of the said King of *Great Britain*, and the said Lords the States, and declaring at the same time to the said Lords Ambassadors *Van Beuninghen* and *Trevor*, That, out of respect to their Masters, he would still continue and rest content to make a Peace, upon the same foundation of either of the two Alternatives, upon which he had explain'd himself at the end of the Campaign last year, viz. either with the *Spaniards* yielding up to him all the Places, Forts and Posts which his Armys had taken during the said Campaign, and their Dependences ; or else an Equivalent, by surrendring to him the *Franche Compté* (or the Dutchy of *Luxemburg* in lieu of it) *Cambray* and *Cambresis*, *Doway*, comprehending the Fort of *Scarpe*, *Aire*, *St. Omer*, *Berg*, *Furnes* and *Link*, with their Dependences. Things upon this being brought so about by the Endeavours and Offices of the said King of *Great Britain*, and the said Lords the States, that the Marquis *de Castelrodrigo*, Governor of *Flanders*, by virtue of the full Power given him to treat of a Peace, should, in the Catholick King's Name, accept of the first part of the two Alternatives abovenam'd, and declare he was ready to sign

sign a Treaty of Peace, or cause the same to be sign'd by those delegated by him, in conformity to the Project that had been given him by the Ministers of the King of *Great Britain*, and of the said Lords the States residing at *Brussels*. In pursuance of this the said Ambassadors and Envoys Extraordinary, seeing the Affair succeed so well, made lively Instances to his most Christian Majesty, that he would agree to a Cessation of Arms to the last day of *May* next, that so there might be sufficient time allow'd for finishing the said Treaty according to the usual Forms. And his said Majesty having upon their Instances declar'd, That he could not upon the present foot of things, without very great prejudice to his Affairs, agree to it, unless the said King of *Great Britain*, and the said Lords the States, gave him all the Assurances he should think necessary, that the Peace should be infallibly accomplish'd upon the said Conditions, and within the said time; the said Ambassadors and Envoys Extraordinary having thereupon offer'd to his most Christian Majesty, that the King of *Great Britain*, and the Lords the States would be a Guarantee for what they had offer'd on the behalf of the Marquis of *Castelrodrigo*, as to the accepting of the first Part of the Alternative, and said that by this Guaranty which they had power to promise, they were fully authoriz'd and in a condition to give his most Christian Majesty all imaginable Satisfaction and Security as to what he desir'd, and in respect to the Infallibility of the Success: The most Christian King had thereupon nam'd and deputed Monsieur *le Tellier*, Counsellor of State, Commander of the King's Orders, Secretary of State, and of his Majesty's Commands: the Lord *du Lionne*, likewise Counsellor of State, Commander of his Orders, Minister and Secretary of State, and of the King's Commands; and Monsieur *Colbert*, Counsellor of State, Comptroller-General of the Finances, Treasurer of the King's Orders, and Superintendent of his Buildings; furnish'd with full Powers to treat with the said Lords *Van Beuninghen* and *Trevor*, who had also the like Power, and to agree together about the said Securitys, as also upon the surest and readiest means to conclude a Peace; and after the said Plenipotentiarys had held several Conferences together, they at last agreed to, settled and concluded upon these following Articles.

I. The Treaty of Peace between *France* and *Spain* shall be accomplish'd, according to the foresaid Project, which
is

is now in the hands of the said Lords Ambassadors *Van Beuninghen* and *Trevor*; and the Ratification of *Spain* shall be sent to his most Christian Majesty at *St. Germain en Laye*, by the last Day of *May* inclusively; as the most Christian King shall in like manner put the Ratification of the said Treaty, within the compass of the same time, into the hands of the Governor of *Flanders*, and sooner if possible.

II. The most Christian King doth on his part consent to a Cessation of all manner of Hostilities and Attacks upon the Fortresses of the *Spaniards*, upon condition the *Spaniards* do the same on their side; and that till the last Day of *May* inclusively.

III. If it should so happen, contrary to all expectation, that *Spain* should refuse to make a Peace according to the said Project, or that the Ratification of *Spain* should not be put into the Hands of the most Christian King by the last day of *May* inclusively; the most Christian King being not then bound to make a Peace upon the terms of the abovesaid Alternatives, his Majesty declares that he will be still content to make a Peace in the months of *June* and *July*, upon the conditions of the two new Alternatives here following, *viz.* That either to the Cession of the Conquests made in the last Summer's Campaign, *Spain* shall add to and yield up the *Franche Compté*, *Cambray*, and the *Cambresis*; or else to the Cession of the other Equivalent before-nam'd, add that of *Luxemburg*, or *Lisle* and *Tournay* instead thereof.

IV. In the mean time, if it should happen that the Peace be not concluded, and the Ratifications not sent within the said term, thro' the fault of *Spain*; and that thereupon the most Christian King, after the expiration of the said Cessation, shall attack the *Spaniards*, and endeavour to force them to a Peace, upon the Conditions of either of the two new Alternatives; the King of *Great Britain* and the said Lords the States, shall be oblig'd to perform the Promise made in their foremention'd Guaranty, and consequently employ all their Forces without any delay both by Sea and Land, to oblige *Spain* to make a Peace upon the conditions above-declar'd.

V. In case the Peace cannot be made in the said months of *June* and *July*, upon the terms before-nam'd, and that thro' the fault of *Spain*; their Majestys and the said Lords the States shall then agree upon such new terms as they shall judge most expedient for putting an end to the War.

But

But to the end that, when their said Majestys and the said States shall come to employ their respective Arms in the Case express'd, they may avoid the Inconveniences which might arise from a Concurrence in the same Enterprizes, by each Party's chusing the same Designs; it has been concluded that his most Christian Majesty's Arms shall be confin'd to act on this side the Rivers and Canals that run by or along these Towns and Places following, viz. *Argentiers, Malines, Rupelmond, Dendermond, Ghent, Plassendale and Ostend*; and shall attack none of the said Towns or Places: and that the Arms of the King of *Great Britain*, and the said Lords the States, shall be oblig'd to act beyond the said Rivers and Places, and shall not attack any Towns or Places on this side.

All the said Points and Articles above-nam'd have been in this manner agreed on, settled and concluded, on the one part between *M. Le Tellier, De Lionne, and Colbert*, in the name of the said most Christian King; and the said Lords Ambassadors *Van Beuninghen and Trevor*, respectively in the name of the King of *Great Britain* and of the Lords the States General; who have promis'd to procure the Ratifications of their Majestys and of the said Lords the States General, by the last day of this month of *April* inclusively, and sooner if it can be done. In witness whereof they have with their own hands sign'd this present Treaty, and put their Seals to it. Done at *St. Germain en Lay*, April 15, 1668.

Sign'd,

(L. S.) *Le Tellier,*
(L. S.) *De Lionne,*
(L. S.) *Colbert.*

(L. S.) *Van Beuninghen.*
(L. S.) *Trevor.*

A Treaty of Peace between France and Spain, concluded at Aix la Chapelle, May 2, 1668.

LEWIS by the Grace of God King of *France* and *Navarre*, to all those to whom these Presents shall come, Greeting. As by virtue of the full Powers given by us to our dear and well-beloved Counsellor in our Councils of State and Privy Council, and our Ambassador Extraordinary, the *Sieur Colbert*, and by the most High, most Excellent, and most Potent Prince, the Catholick King of both the *Spains*, our most dear and well-beloved Brother-in-Law and Cousin, and the most High, most Excellent, and most Puissant Princess, the Catholick Queen of *Spain*, our most dear and most beloved Sister and Cousin, as Regent, Guardian, and Governess of the Kingdoms and States of the said King our Brother, to the Marquis *de Castelrodigo*, Captain and Governor-General of the *Netherlands* for our said Brother, and by the said Marquis *de Castelrodigo* to the Baron *de Bergeik*; they have in the Imperial City of *Aix la Chapelle*, on the second of this instant *May*, agreed, concluded, and sign'd a Treaty of Peace and Reconciliation, the Tenor whereof here follows.

In the Name of God the Creator: Be it known to all present and to come, as by the Authority and paternal Care of our most Holy Father the Pope *Clement IX.* now happily seated in the Holy Chair, for the good Government of our Holy Mother the Church, and by the continual Exhortations and most lively Instances of his Holiness, as well by sundry and divers Letters writ with his own Hand, as by the Agency and Negotiations of his own Nephew Cardinal *Rospigliosi*, and of his extraordinary Nuncios; the most High, most Excellent, and most Potent Prince, *Lewis* by the Grace of God the most Christian King of *France* and *Navarre*, and the most High, most Excellent, and most Potent Prince *Charles II.* by the Grace of God Catholick King of *Spain*, and the most High, most Excellent, and most Potent Princess *Marie Anne* of *Austria*, Catholick Queen of *Spain*, his Mother, as Regent, Guardian,

Guardian, and Governess of his Kingdoms and States, have agreed and concluded to make choice of the Imperial City of *Aix la Chapelle*, there to treat of a Peace, by the Interposition of his Holiness's Plenipotentiary, as also of the Ministers of severall other Kings, Potentates, Electors and Princes of the Holy Empire, who have so kindly employ'd their Endeavours and good Offices to accomplish this grand Affair: And in order to compass the same, the said most Christian King had given full power to the *Sieur Colbert* Counsellor in all his Councils, Master of Requests in his Household, and his Ambassador Extraordinary; and the said Catholick King gave on his part his full Power to the *Marquis de Castelfrigo*, Captain and Governor-General of the *Low-Countrys*, who by virtue of his said Power delegated the *Baron de Bergeik*, Knight of the Order of *St. James*, Counsellor in the supreme Council of *Flanders*, and one of the Council of State and of the Finances: the which *Lords Colbert* and *Bergeik*, by virtue of their said Powers and Delegations, acknowledg'd to be authentick on both sides, have settled, concluded and agreed on these following Articles.

I. First, 'Tis concluded and agreed on, that for the future there shall be a good, firm and lasting Peace, Confederacy and perpetual Alliance and Friendship between the most Christian and Catholick Kings, their Children born or to be born, their Heirs and Successors, Kingdoms, States, Countrys and Subjects; that they shall love one another like Brothers, and with all their might promote the Good, Honour, and Reputation of each other, and sincerely avoid as much as possibly they can, the injuring of one another.

II. In consequence of this good Reconciliation, as soon as the Ratifications of this present Treaty shall be exchange'd, the Peace between the two Kings shall be publish'd; and from the very instant of the said Publication, there shall be a Cessation of all warlike Enterprizes, and all Acts of Hostility, as well by Sea and on other Waters, as by Land, and generally in all places where the War has been made by their Majestys Arms, as well between their Troops and Armys, as the Garisons of Places. And in case the said Cessation should happen to be contraven'd, by the taking of one or more Places, either by Attack, Surprise, or secret Correspondence; and if also any shall be made Prisoners, or any other Acts of Hostility happen by some unforeseen Accident or other, or such as cannot be prevented,

prevented, contrary to the said Cessation of Arms; Reparation shall faithfully be made on each side for any such Contravention, without any delay or difficulty; that which hath been seiz'd on being to be restor'd without Diminution, and the Prisoners set at liberty without any Ransom, Charge or Expence.

III. In consideration of the said Peace, the most Christian King shall keep, remain in possession, and really enjoy all the Places, Forts, and Posts, which his Arms have taken or fortify'd during the last Campaign, *viz.* the Fortress of *Charleroy*, the Towns of *Binch* and *Aeth*, *Doway*, the Fort of the *Scarp*, comprehending *Tournay*, *Audenard*, *Lisle*, *Armentiers*, *Courtray*, *Bergues* and *Furnes*, together with the full Extent of their Bayliwicks, Chastellanys, Territorys, Governments, Provostships, Appurtenances, Dependences, and things annex'd thereunto, by what name soever they may be call'd.

IV. The said Towns and Places of *Charleroy*, *Binch*, *Aeth*, *Fort de Scarp*, *Tournay*, *Audenard*, *Lisle*, *Armentiers*, *Courtray*, *Bergues* and *Furnes*, together with their Bayliwicks, Chastellanys, Governments, Provostships, Territorys, Domains, Signiorys, Appurtenances, and Dependences, let them be distinguish'd by what name they will, shall by this Treaty of Peace continue in the possession of the said most Christian King and his Successors, irrevocably and for ever, with the same Right of Sovereignty, Propriety, Rights of Regalia, Patronage, Guardianship, Jurisdiction, Nomination, Prerogative, and Preheminence over Bishopricks, Cathedrals and other Churches, Abbys, Priorys, Dignitys, Cures, and all other Benefices whatsoever, lying within the bounds of the said Countrys, Places, and Bayliwicks thus yielded up, and of some Abbys on which the said Priorys are dependant and moving; and all other Rights, which heretofore did belong to the Catholick King, tho not particularly enumerated in this place: In such manner as that his said Christian Majesty shall not for the future be disturb'd or incommoded any manner of way, either in Law or Fact, by the said Catholick King, his Successors, or any other Prince of his Family, let him be who he will, or under any pretence or occasion whatsoever, which may happen in the said Sovereignty, Propriety, Jurisdiction, Possession, and Enjoyment of the said Countrys, Towns, Places, Castles, Lands, Signiorys, Provostships, Domains, Chastellanys, and Bayliwicks, together

ther with all the Places and other things that depend upon them. And to this end the said Catholick King, as well for himself as for his Successors, renounces, quits, yields, and transfers the same, as his Plenipotentiarys have in his name in this Treaty of Peace irrevocably renounc'd, quitted, yielded and transfer'd always and for ever, in favour and to the benefit of the said most Christian King, his Heirs and Successors, all the Rights, Suits, Pretensions, Rights of Regalia, Patronage, Guardianship, Jurisdiction, Nomination, Prerogatives and Preheminences over the Bishopricks, Cathedrals and other Churches, Abbys, Priorys, Dignitys, Cures, and other Benefices whatsoever that are within the bounds of the said Countrys, Places and Bayliwicks yielded up, and over some Abbys on which the said Priorys depend; and generally, without any reservation or detention, all other Rights which the said Catholick King or his Heirs and Successors have and pretend, or might have and pretend to, be it for what cause or occasion soever, over the said Countrys, Places, Castles, Forts, Lands, Signiorys, Domains, Chastellanys, and Bayliwicks; and, as has been said, over all the Places depending upon them, notwithstanding any Laws, Statutes, Customs, and Constitutions made to the contrary, tho' they may have been confirm'd by Oath; to which and to Clauses derogatory from Derogatorys, it's expressly derogated by this Treaty, in order that the said Renunciations and Cessions may have effect: the which ought and shall take place, without any particular Expression or Specification derogating from the general, or the general from the particular one, and for ever excluding all manner of Exceptions, upon what Right, Title, Cause, or Pretence soever they may be founded. The said Catholick King declaring, consenting, willing, and meaning, that the Men, Vassals, and Subjects of the said Countrys, Towns, and Territorys so yielded to the Crown of *France*, as aforesaid, shall be and remain from henceforward for ever free from and absolv'd of their Allegiance, Homage, Service and Oath of Fidelity, which all or any of them may have taken to him and his Predecessors the Catholick Kings; as also of all Obedience, Subjection, and Vassalage, which upon that account they may have ow'd to him: The said Catholick King willing that the said Allegiance, Homage, and Oath of Fidelity shall be void and of no effect, as if they had never been perform'd nor taken,

V. The said most Christian King, presently after the Publication of the Peace, shall withdraw his Troops in Garison out of all the Places, Towns, Castles, and Forts, in the County of *Burgundy*, commonly call'd the *Franche Compté*; and shall really, effectually, and in good earnest restore all the said County of *Burgundy* to his Catholick Majesty without any reserve.

VI. The said most Christian King shall also restore to the said Catholick King all the Places, Forts, Castles, and Posts, which his Arms have or may have seiz'd on to the day of the proclaiming of this Peace, be they situated where they will; excepting only those Places and Forts which are to remain in the possession of his most Christian Majesty, by this present Treaty as aforesaid: As in like manner his Catholick Majesty shall restore to his most Christian Majesty all the Places, Forts, Castles and Posts, which his Arms may have taken, till the day of publishing the Peace, be they situated where they will.

VII. Their Majestys do agree that all Kings, Princes, and Potentates, who have a mind to enter into the like Engagement, may give unto their Majestys their Promises and Assurances of Guaranty, and of the Execution of all that is contain'd in this present Treaty.

VIII. It's covenanted, agreed, and declar'd, that there is no Intention hereby to make void the *Pyrenean Treaty* (saving that which appertains to *Portugal*, with which the said Catholick King hath since made a Peace) any further than matters have been otherwise settled by this Treaty, by the Cession of the foresaid Places; insomuch that neither Party hath acquir'd any new Right, or can receive any Prejudice in their respective Pretensions, as to any thing whereof there is no exprefs mention made by this present Treaty.

IX. And for the better confirming of the Treaty of Peace, and all the Points and Articles contain'd therein; the same shall be publish'd, ratify'd and register'd in the Court of Parliament of *Paris*, and all other Parliaments in the Kingdom of *France*, and Chambers of Accompts in the said City of *Paris*: As the said Treaty shall in like manner be ratify'd, publish'd and register'd as well in the Great Council and other Councils and Chambers of Accompts appertaining to the said Catholick King in the *Netherlands*, as in the other Councils of the Crowns of *Castile* and *Arragon*; the whole to be done after the manner
and

and pursuant to the form contain'd in the Treaty of the *Pyrenees*, made in the Year 1659. of which Dispatches shall be given on both sides within three months after the Publication of the present Treaty.

The Points and Articles before-mention'd, together with all that is contain'd in each of them, have been manag'd, agreed on, pass'd and stipulated between the foremention'd Plenipotentiarys of the said most Christian and Catholick Kings, in their Majestys name; which Plenipotentiarys, by virtue of their respective Powers, have and do promise under the penalty of all the Possessions and Effects of their Masters, whether in possession or reversion, that they shall be inviolably observ'd and fulfill'd by their Majestys, and really and sincerely ratify'd without any addition thereunto, and the Ratifications to be exchang'd, with this whole Treaty inserted therein word for word, by the last day of *May* next inclusively, viz. that of his most Christian Majesty shall at *Brussels* be put into the hands of the Governor of *Flanders*, and those of his Catholick Majesty at *St. Germain en Laye* into the most Christian King's hands, and sooner if it can be done. Moreover, the said Plenipotentiarys have and do promise in the said Names, that when the said Instruments of Ratification are presented, the said most Christian King shall as soon as possible, and in the presence of such Person or Persons as the said Catholick King shall depute, solemnly swear upon the Cross, Holy Evangelists, Canons of the Mass, and upon his Honour, he will observe, and fully, really and sincerely accomplish all that is contain'd in the Articles of this present Treaty. The same thing shall also be done as soon as possible, by the said Catholick King and the Queen Regent his Mother, in the presence of such Person or Persons as the most Christian King shall depute. In witness whereof the said Plenipotentiarys have subscrib'd their Names to the present Treaty, and set to their Seals. Done in the Imperial City of *Aix la Chapelle*, the second Day of *May*, in the Year 1668.
Sign'd *Charles Colbert*.

This present Treaty was also subscrib'd in the Name of the Pope, and of the Princes and Electors of the Empire, and seal'd by *Augustin Franciotti*, Archbishop of *Trebisond*, his Holiness's Plenipotentiary, and the Baron *de Schoneborn* in the name of his Electoral Highness of *Mentz*, *Francis Egon de Furstenburg* in the name of his Electoral Highness

162 *Treaty between England and Spain,*

of *Cologne*, and the Chevalier ~~senting~~ in the name of his Highness of *Munster*.

We being pleas'd with the foresaid Treaty in all and every one of the Points and Articles contain'd and declar'd therein, have as well for ourselves, as for our Heirs, Successors, Kingdoms, Countrys, Territorys, Signiorys, and Subjects, accepted, approv'd, ratify'd and confirm'd, and do accept, approve, ratify and confirm the same; and upon the Faith and Word of a King, and the Forfeiture of all we have, or may hereafter be possess'd of, do promise inviolably to keep and observe them, without either directly or indirectly contravening them in any way or manner whatsoever. In testimony of which, we have sign'd these Presents with our own Hand, and put our Seal to them. Done at *St. Germain en Lay*, May 26, in the Year 1668. and the 26th of our Reign. Sign'd, *Lewis*; and lower, *De Lionne*.

*A Treaty between Great Britain and Spain,
about accommodating Differences, preventing Depredations, and settling a
Peace in America; concluded at Madrid, July 17, 1670.*

FORasmuch as the good Understanding and Correspondence between the *English* and *Spanish* Nations have been interrupted in *America*, the most Serene and most Potent Prince *Charles II.* King of *Great Britain*, &c. in order to re-establish and regulate the same for the future, hath dispatch'd Sir *William Godolphin* his Envoy Extraordinary into *Spain*, with full Power and Authority to conclude such a Treaty as shall be proper and suitable to these ends: And that in like manner the most Serene and most Potent Prince the King of *Spain*, &c. and the Queen Regent *Marie Anne*, &c. in order to promote so good a Work and so advantageous to the Publick, have on their part appointed the Count *de Pagnaranda*, Counsellor of State and President of the *Indies*, to confer about, treat

o. *for settling a Peace in America.* 163

conclude that Affair; they have at last mutually settled agreed upon these following Articles, by virtue of Commissions.

In the first place, the said Plenipotentiarys, Sir *William Phipps* and the Count *de Pagnaranda*, have in the names of the most Serene Kings their Masters agreed, that the Treaties of Peace and Alliance made between the Crowns of Great Britain and Spain at *Madrid* the 1st of May 1667. by Clause therein shall any ways be revok'd, or be stood to be void or annull'd by this Treaty: but that the same shall always continue in their former Force, Virtue and Power; provided they be not contrary and repugnant to this Convention and Articles, or any thing that is contain'd in them.

That there shall be an universal Peace and a true and sincere Friendship in *America*, as well as in other parts of the World, between the most Serene Kings of Great Britain and Spain, their Heirs and Successors, and between their Kingdoms, Plantations, Estates, Colonys, Forts, Towns, Islands and Territorys, without any distinction of those belonging to the one or to the other, and between the Kings and Inhabitants in their respective Dominions, which shall ever endure, and commence from this day, and be faithfully observ'd, as well by Land as Sea, and on fresh Waters; so as that they are to promote the Good and Welfare of one another, and to favour and assist each other with mutual Returns of Friendship, that so the Offspring of Neighbourhood and Amity may be discharg'd and mentain'd amongst them in all Places, as well in those remote Countryes, as in those nearer home.

That so also for the future all Enmitys, Hostilitys, Differences, between the said Kings, their Subjects and Inhabitants, may cease and be quite laid asleep; and that neither Party do hinder and abstain from all manner of War, Depredations, Injurys, and Annoyances, as well on Land as Sea, and on fresh Waters, be they where they

The said most Serene Kings are to take care that their Subjects do also forbear all Acts of Violence and Hostility, and call in all Commissions, Letters of Marque and Reprisal; and that they do not otherwise give leave to take Prizes, of what nature or kind soever they be, to the use of either of the said two Kings, or their Subjects, or that they have been given or granted by them, to their

own Subjects or Inhabitants, or to Strangers: but are to declare them to be null and of no effect, as they are so declar'd by this Treaty. And whoever shall act any thing to the contrary, shall not only be punish'd as a Criminal, according to the nature of his Offence; but shall also be oblig'd to make Restitution and Reparation for the Losses the injur'd Partys have sustain'd and require of them.

V. Moreover, the said Kings renounce, and they have by these Presents both of them renounc'd and do renounce all Leagues, Confederacys, Capitulations and Intelligence, had in any manner whatsoever, to the prejudice of one another, that is or may be repugnant to this Peace and Treaty, and every thing that is contain'd therein: All and every such Clauses, so far as they may reach to the said effect, being annull'd and made void, and declar'd to have no force or virtue in them.

VI. The Prisoners, of what state or condition soever they be, which are detain'd by reason of any Acts of Hostility hitherto committed in *America*, shall forthwith be set at liberty, without any Ransom, or any manner of Consideration for their Enlargement.

VII. All Offences, Damages, Losses and Injurys, which the Nations and People of *Great Britain* and *Spain* may at any time whatsoever till now have suffer'd on either side in *America*, be the Cause or Pretence what it will, shall be utterly effac'd and bury'd in oblivion, in such manner as if the same had never happen'd.

Moreover 'tis agreed, that the most Serene King of *Great Britain*, his Heirs and Successors, shall have, hold, keep and always possess, in full Right of Sovereignty, Signiory, Possession, and Propriety, all the Lands, Countrys, Islands, Colonys, and other Places, be they what they will, lying and situate in the *West-Indies*, or in any part of *America*, which the said King of *Great Britain* and his Subjects now hold and possess; insomuch that they neither can nor ought hereafter to be contested or call'd in question for them, upon any account, or under any pretence whatsoever.

VIII. The Subjects and Inhabitants, Merchants, Captains, Masters of Ships, and the Mariners of the Kingdoms, Provinces, and Territorys of each Ally respectively, shall forbear and abstain from sailing to and trafficking in the Ports and Havens, that have Fortifications or Magazines, and in all other Places possess'd by the other Party in the *East-Indies*: that is, the Subjects of the King of
Great

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Britain are not to navigate, nor to traffick in the Harbours and Places that are in the possession of the Catholick in the said *Indies*: neither are the Subjects of the said *Spain* to navigate or traffick in the Places possess'd by the King of *Great Britain*. But if at any time of the Kings shall think it proper to grant the others as any general or particular Leave or Privileges to sail or traffick in any of the Places under his Obedience; and Traffick and Navigation shall be exercis'd and maintained according to the Form, Tenor and Effect of the Permissions or Privileges, given and granted to them; the Security, Guaranty, and Authority whereof, this Treaty and the Ratification of it shall serve.

It's also agreed, that in case the Subjects and Inhabitants belonging to either of the two Allys, and their Ships, whether they be Men of War or Merchant Ships, and such belonging to private Persons, should at any time be forc'd by Storm, Pursuit of Pirates and Enemys, or by any other event whatsoever, to retire and enter into any of the Harbours, Creeks, Bays, Havens, Roads and Ports, belonging to the other in *America*, in order to have protection and assistance, they shall be receiv'd and treated there with all the respect of Humanity and Civility, have all the Protection and assistance of Friends; and they shall be allow'd to defend themselves, and be at liberty at a reasonable and moderate price to buy Provisions and other Necessarys, whether it be for the support of their Persons, or for repairing their Ships, and the Conveniency of their Voyage: they shall in no manner of way be retarded or hinder'd out of the said Ports or Roads; but they may do it whenever they have a mind to it, without any Let or Motion.

In like manner, if any of the Ships belonging to either one or the other of the Allys, their People and Goods, shall run upon Sand-Banks, or be shipwreck'd (which God forbid) within the bounds of the Coasts or Territories of the other, or suffer any damage there; the Ship or Goods so shipwreck'd or thrown ashore, shall be taken care of by the other: the Persons so shipwreck'd means be detain'd Prisoners: but on the contrary, whenever of Assistance and Succour shall be given them in such accidents, and they shall have Passports granted for their Return and free and peaceable Passage of all of them to their own Country.

XII. But when it shall so happen, that the Ships either of the one or the other Party, as aforesaid, shall be forc'd into the Ports and Havens of the other, thro' the Perils of the Sea, or some other urgent Necessity; in case they are three or four together, and may give just grounds of suspicion, they are, as soon as they arrive there, to let the Governor, or the chief Magistrate of the Place, know the cause of their coming, and to tarry no longer there, than the said Governor or chief Magistrate will give them leave, and that it shall be necessary to supply themselves with Provisions and refit their Ships: and they are ever to abstain from putting any Wares or Bales of Goods ashore, to expose them to Sale; neither are they to receive any Merchandise on board, or do any thing that is contrary to this Treaty.

XIII. Both Partys are sincerely and inviolably to observe this present Treaty, and all and every the Clauses contain'd therein; and they are to be observ'd and punctually fulfill'd by the Subjects and Inhabitants of both Nations.

XIV. Particular Offences shall no way be a prejudice to this Treaty, and cause no Enmitys or Dissensions between the two Nations; but every one shall answer for what he has done, and be prosecuted for contravening it: neither shall the one have recourse to Letters of Reprisal, or any other methods of the like nature, to obtain Reparation for the Offence of the other, unless Justice be actually deny'd, or unreasonable Delays us'd in administering the same. In which case it shall be lawful for the King, whose Subject hath sustain'd the Damage and Loss, to have recourse to the Rules and ordinary Course of the Law of Nations, till Reparation be made to the Person that has been injur'd.

XV. This present Treaty shall no way derogate from any Preheminence, Right or Signiory, which either the one or the other of the Allys have in the Seas, Straits, or fresh Waters of *America*; and they shall have and retain the same in as full and ample a manner, as of right they ought to belong to them: and 'tis always to be understood that the Freedom of Navigation ought by no manner of means to be interrupted, when there is nothing committed contrary to the true Sense and Meaning of these Articles.

XVI. That the solemn Ratification of this Treaty and Convention shall in good and due form be deliver'd by either Party, and reciprocally exchange'd in the space of four months, to reckon from this day; and they shall, in the space of eight months, reckoning from the day of the Exchange

2. *French King's Declaration of War.* 167

ge of the Instruments (or sooner if it can be done) publish'd in all the proper places within the Kingdoms, tes, Islands, and Signiorys of both the Allys, as well e *West-Indies* as elsewhere.

witnefs of all and every one of the Articles contain'd ese Presents, We the above-nam'd Plenipotentiarys sign'd this Treaty, and set our Seals to it at *Madrid* ay of *July*, in the Year of our Lord 1670]

e Count *de Pignaranda.*

William Godolphin.

(L. S.)

(L. S.)

*French King Lewis XIV's Declaration
f War against the States General of the
United Provinces; whereby all his Sub-
jects were forbid to have any Commerce or
Correspondence with them, April 1672.*

H E ill Opinion which his Majesty hath for some time past entertain'd of the Conduct of the States

General, having proceeded so far that his Majesty at the diminution of his Glory cannot any longer ble the Indignation wrought in him for their acting e conformably to the great Obligations, which his ty and the Kings his Predecessors have so bountifully upon them; his Majesty hath declar'd, as he does eclare, that he hath determin'd and resolv'd to make against the said States General of the United Pro-, both by Sea and Land; and so consequently com- all his Subjects, Vassals and Servants, to fall upon allanders; and forbids them for the future to have any merce, Communication or Correspondence with them, ain of Death.

this end his said Majesty does by these Presents re- all Permissions, Passports, Safe-Guards, or Safe-Con- which may have been granted for the time past, or ps shall be granted by his Lieutenant Generals, and Officers, contrary to the intent of this Ordinance; ing them to be all null and of no effect, and forbid- any one whatsoever to have any regard to them.

168 *The French King's Declaration*

Moreover, his said Majesty doth order and command the Count de *Vermandois*, Great Master, President and Superintendant General of the Navigation and Commerce of this Kingdom; the Merchants of *France*, the Governors and Lieutenant Generals appointed by his Majesty for his Provinces and Armys, Marechals de Camp, Colonels, Majors, Captains, Chiefs and Leaders of his Armys, as well Foot as Horse, *Frenchmen* and *Foreigners*, and all other his Officers that belong to him, to put the Contents of this present Declaration in Execution, every one for himself, according to his Command, District, and Jurisdiction: For such is his Majesty's Pleasure, who wills and requires this Declaration should be made publick and set up in all his maritime and other Towns, and in all Ports, Havens, and other Places in his Kingdom, where it shall be necessary; to the end that no body may pretend Ignorance. Given at the Castle of *Versailles*, April 6, 1672.

Thus sign'd,

Louis.

And a little lower,

Le Tellier.

And a little lower still,

Charles Cunto, Cryer in ordinary to his Majesty, is requir'd to publish and set up the King's Declaration of the sixth of this present Month and Year in all the parts of the City, Suburbs, Bayliwicks, and Vicountships of *Paris*, where there is occasion; that so no Body may pretend Ignorance thereof. Given *April 6, 1672.*

De la Reynie.

Proclamation in pursuance of the preceding Declaration.

By the KING.

HIS Majesty being inform'd that the *Hollanders* that are at present in this Kingdom, are afraid of being molested in their Persons, and the Enjoyment of their Estates, in pursuance to the Declaration of the sixth instant; by which his Majesty hath declar'd his Resolution to make War against the States General of the United Provinces of the *Low-Countrys*, both by Sea and Land; and to this end having order'd all his Subjects, Vassals, and Servants to fall upon the Subjects of the said States, and prohibited them to have any Commerce, Correspondence, or Communication

tion with them, upon pain of Death : And his Majesty being willing to make his Intentions known in respect to the Persons of that Nation, who have settled in this Kingdom upon the Faith of Treatys of Peace, and particularly of that of 1662. his said Majesty hath commanded, and doth will and require, that the Article of the said Treaty of 1662. be put in execution; by virtue of which the Subjects of the said States are suffer'd and allow'd to tarry in this Kingdom for the space of six months, reckoning from the day of the Date of this Proclamation, during which time they may sell or safely carry away their Goods and Merchandizes; his said Majesty most expressly forbidding all his Subjects to molest the said *Dutchmen* in their Persons or Estates, for any cause or upon any account and pretence whatsoever, unless by way of Law-Suit; and every thing is to be done in the same manner, as they ought to be before the publishing of the Declaration of the sixth instant. His said Majesty requiring and enjoining all Governors, Lieutenant-Generals of his Provinces, Intendants of his said Governor, the Magistrates of Citys and other Places, and every one in particular, to have due regard to the exact Observation of this Proclamation. Given at *St. Germaine en Laye*, April 14, 1672.

Sign'd, *Louis.*

And a little lower, *Colbert.*

By the KING.

HIS Majesty being inform'd that there are several *Frenchmen* residing in *Holland* and the United Provinces of the *Low-Countrys*, and being not willing that after the Declaration of War made against the States General of the said Provinces, any of his Subjects should continue there, nor hold any Communication or Commerce with the *Hollanders*; his Majesty does most expressly command and require all his Subjects, of what quality or condition soever they be, that are in *Holland*, and within the Territories subject to the said States General, whether they have sided with them there or otherwise, to leave that Country, and to return to this Kingdom within fifteen days after the publication of these Presents, upon the penalty of being proceeded against as Defaulters, by Forfeiture of Body and Goods, according to the Rigour of our Edicts. His Majesty

ly, from a Place that is an Enemy, to a Place that is Neutral; but also from a Port or other Place belonging to the Enemies of the said King, to another also belonging to his Enemies; whether these Ports or other Places be under the Obedience of one Prince or State, or of several Princes or States, with one or all of which the King of *Great Britain* is at War. The Subjects of the most serene King of *Great Britain* may reciprocally transport the said Merchandizes, not only from one Place where there is a Neutrality, to another that is Neutral, or from a Place or Port where there is a Neutrality, to another that is an Enemy to the most Christian King: or lastly, from a Place that is an Enemy, to another where a Neutrality is observ'd, but also from a Port or other Place belonging to the Enemies of the said King, to another appertaining also to his Enemies; whether these Ports or other Places be under the Obedience of one Prince or State, or of several Princes and States, with one or all of which the said most Christian King is at War: But yet such things must not be carry'd at all to Towns and Places besieg'd, block'd up, or invested.

V. In order to terminate all Differences that may arise, either by Sea or Land, it has been agreed, That the Ships, or other Vessels belonging to the Subjects of the most Christian King, which enter into the Havens or Ports of the King of *Great Britain*, and would go elsewhere from thence, shall not be detain'd any longer than to produce and exhibit their Passports, the Form whereof is annex'd to this Treaty, to the Officers of the said King. And if there be in the said Ports or Havens any Ships of War belonging to the King of *Great Britain*, or Privateers, the Commanders of the said Ships are free to depart, without demanding any Money or any thing else of them upon that account: but if the Ships or other Vessels appertaining to the Subjects of the most Christian King, be met with in the open Sea, or such Places as are not under the Dominion of the King of *Great Britain*, by the Ships of War of the said King, or others fitted out by his Subjects; the said Ships may, by keeping at a reasonable distance off, send their Shallop on board the said Ships or Vessels of the Subjects of the most Christian King, and shall put two or three Men only on board, to the end that the Master or Owner may exhibit to them his Passport, after which they shall freely pass, without being any way molested, search'd, stop'd, or forc'd to alter their course. The Subjects of the King of *Great Britain* shall enjoy the same

same Freedom and Immunitys, by producing their Passports, according to the Form before mention'd.

VI. If any Vessel or Bark belonging to the Subjects of the most Christian King, and passing to a Country that is an Enemy to the King of *Great Britain*, meets with a Man of War in her Passage; in like manner, if a Ship appertaining to the *English*, and other Subjects of the King of *Great Britain*, is met with going towards a Port that is an Enemy to the most Christian King, it will not be enough for her to shew her Passports; but also Certificates, in due and authentick form, from the Officers and Visitors of the Custom-house, of its going out of the Port from whence she departed, containing an account of all the Cargo on board her; to the end it may be known, whether there are any contraband Goods there, and of the nature of those that are particulariz'd in the third Article of this Treaty.

VII. If upon producing the said Certificates it appears, that there are contraband Goods on board, consign'd for an Enemy's Port; yet you are not to go under Deck, nor to open or break any Chests, Bales, Casks or Tuns, nor take the least thing out of her, till she is brought into a Port, where a just Inventory shall be taken in the presence of the Custom-house Officers: and nothing thereof shall be sold or barter'd, till after a fair Trial before the Judge of the Admiralty-Court, and Sentence be pass'd for the Confiscation of such Merchandizes. In which Confiscation nevertheless, the Hulk of the Vessel, and the lawful Merchandize on board her, shall not be compriz'd, and the said free Goods can't be detain'd, much less declar'd good Prize, upon the account of the said contraband Merchandize. If the Vessel is laden but in part with contraband Goods, and that the Master thereof offers at the same time to put them into the Captor's Hands, he shall not oblige him to go into the Port he had a mind to, but suffer him to continue his Voyage.

VIII. The Merchandizes appertaining to the Subjects of the most Christian King, which shall be found on board Ships that are Enemys to the King of *Great Britain*, shall be liable to forfeiture, tho they are not contraband: and on the contrary, the Goods of the Enemys of the said King of *Great Britain* cannot be taken nor confiscated, if they be found on board the Ships appertaining to the Subjects of the said most Christian King, altho the said Goods make up the best part of the whole Lading of the said Ships, but
still

still with an Exception of those that are contraband; which when they are taken, are to be dispos'd of in the manner set down in the preceding Article. In like manner, the Merchandizes belonging to the Subjects of the King of *Great Britain*, which are found on board the Ships of the Enemies of the most Christian King, shall be liable to Confiscation, tho they be not contraband; and on the contrary, the Merchandizes of the Enemies of the said most Christian King shall not be taken nor confiscated, if they are found on board the Ships appertaining to the Subjects of the King of *Great Britain*, tho the said Merchandizes make up the best part or the whole Lading of the said Ships, but still with an Exception to contraband Goods: as to which, when they are taken, they are to be dispos'd of in the same manner as in the preceding Articles. And in order to prevent a new War that may happen, from injuring and being a prejudice to the Subjects of that Crown that shall be at Peace; it's agreed, that the Ships of the new Enemies, laden with Effects and Merchandizes belonging to the Subjects of the said Crown that shall be at Peace, shall not be forfeited, if they have been laden therewith before the end of the term hereafter specify'd, which term shall be six Weeks after the Declaration of the War between the *Soundings* and the *Naz* in *Norway*, two Months between the *Soundings* and *Tangier*, two Months and a half in the *Mediterranean*; and eight Months in all other Parts of the World. In like manner the Effects of the Subjects of the most Christian King, taken in the Vessels of the new Enemies of the most serene King of *Great Britain*, may not be confiscated under this pretence; but shall forthwith be restor'd to the Owners, unless they have been put on board the said Ships after the end of the Term above-noted; however, contraband Goods, which are liable to Confiscation for the Reasons aforesaid, must not be carry'd into the Enemies Ports: And reciprocally, the Effects of the Subjects of the most serene King of *Great Britain*, taken on board the Ships of the new Enemies of the most Christian King, cannot be forfeited under that pretence, but shall forthwith be restor'd to the Owners, unless they have been put on board after the end of the term before specify'd; nevertheless, contraband Goods, which would not be confiscated for the aforesaid Reasons, cannot be convey'd into the Enemies Ports.

IX. And to the end they may be very safe, and that the Subjects both of the one and the other Crown may be in
no

no danger from the Men of War, their Majestys shall give severe Charges and Inhibitions to all the Captains of Ships, and all Privateers, that they do not any Injury or Damage to the Merchant-Ships, under the Penalty of being severely punish'd: Besides which, they shall also be punish'd in their Persons, and be oblig'd to make Restitution and Reparation of Damage to those whom they have wrong'd.

X. And to this effect the Privateers shall for the future be oblig'd, before their Commission is made out, to give sufficient and able Security of such Persons as have no share in fitting them out, and to be done before proper Judges, to the Sum of Fifteen Hundred Pounds Sterling, or Thirty Three Thousand Livres; which Securitys shall be effectually bound, together with the Privateers, to make good the Injury and Damage they shall do during their cruising, either by themselves or their Officers and others under their Command, contrary to the Tenor of this Treaty, and of all others made between the said most Christian King and King of *Great Britain*: Besides which, the said Privateers shall forfeit and lose their Commissions, wherein their Names, and their giving Security shall always be inserted; to which it's added, that the Ship shall particularly be liable to the payment of all the Damages and Interest upon the same.

XI. The most serene and most Christian King, and the most serene King of *Great Britain*, being mutually desirous that the Subjects both of the one and the other King may be receiv'd and us'd in all the Territorys of the other, as favourably as if they were his own Subjects, shall give all proper Orders to have Justice duly administer'd, by unbiass'd and disinterested Judges, in respect to the Prizes that shall be taken; and the said Kings shall expressly command, that the Sentences, which are or shall be hereafter pronounc'd, be fully put in Execution, according to their Tenor and Form.

XII. When the Ambassadors, or other Ministers of the most Christian King residing in the Court of *Great Britain*, shall complain of the Injustice of the Sentences pronounc'd about the taking of Ships or Merchandizes as Prize, which belong to the Subjects of the said most Christian King; the said King of *Great Britain* shall at the same time name nine of his Council, empower'd by Commission under the Great Seal, to take cognizance of the Affair, and to confirm or annul the said Sentences; and the said Commissioners shall

be

be oblig'd to meet within a month's time, to commence from the day the Complaint is made, and to give their Judgment within three months after: In like manner, if the Ambassadors or Ministers of the King of *Great Britain*, residing in the Court of the most Christian King, shall complain of the Sentences given concerning Prizes taken from the Subjects of the said King of *Great Britain*; the said most Christian King at their desire, shall cause the said Sentences to be review'd and examin'd in his Council, in order to have them confirm'd or annull'd; and the Controversy shall be decided within four months, to commence from the day wherein the Complaint is made.

XIII. When a Suit is commenc'd between those who shall take the Prize on the one hand, and those that reclaim it on the other; if the Sentence is pronounc'd in favour of the Reclaimer, it shall be put in Execution upon giving Security, notwithstanding an Appeal be made: But this shall not be done, when the Sentence shall be given against those that reclaim.

XIV. As it sometimes happens, that the Ships which make Prizes in time of War, treat the Masters, Pilots and Passengers taken therein, very inhumanly, to extort such a Confession and Declaration from them, as they have a mind to: It has been agreed, that their Majestys shall prohibit such severe Usage under very rigorous Penaltys, and punish those that are convicted according to their demerit, and in such a manner as may deter others from doing the like. The Captains and Officers who shall be found guilty of these Inhumanitys and Violences, whether they have done them themselves, or caus'd them to be done or suffer'd, shall forthwith be cashier'd, and they shall besides be proceeded against according to the heinousness of the Crime; and every Vessel that is taken, in which the Seamen and Passengers shall be ill us'd, shall be releas'd and set at liberty, with an Allowance of Charges, and without any further Law or Examination thereon.

XV. It hath also been agreed on, that those shall be very severely punish'd, who take Commissions from the Enemys of one of the said Kings, to take Prizes from his Subjects.

XVI. Lastly, That the present Treaty shall be agreed and confirm'd as soon as possible, and the Ratifications exchanged in two months time. *St. Germaine en Laye, Febr. 24, 1677.*

(L. S.) *Arnauld.*

(L. S.) *R. Montague.*

*A Treaty of a defensive Alliance, between
Charles II. King of England, and the
United Provinces of the Low-Countrys,
concluded at the Hague, Jan. 10, 1678.*

TH E most Serene and most Potent Prince *Charles II.* King of *Great Britain*, seriously weighing the deplorable State of *Christendom*, and the absolute necessity there is for an entire Union of Counsels, in order to hinder the farther progress of a miserable War that hath spread itself far and near, and at this day harass'd almost all *Europe*; and at the same time considering with himself, the little Success his Mediation, which for the space almost of three Years he has offer'd with much care and concern, has met with for procuring a general Peace: he at last has judg'd it necessary to have recourse to more effectual Means; and to that end, to enter into a strict Alliance with the high and mighty Lords, the States General of the United Provinces; by the virtue and efficacy of which, the two neighbouring Kings may be sincerely excited to make a Peace upon such Articles and Conditions as may conduce to the universal Benefit of Christianity; especially, in settling the Security and Barrier of the *Netherlands*, wherein his Majesty and the said Lords are greatly interested. To which end, we whose Names are under-written, pursuant to the Powers given to us, have in the name and on the part of the said King, and the States General, respectively deputed by them, agreed on the following Articles:

I. That the said King of *Great Britain*, and the said Lords the States General of the United Provinces, shall stand by and mutually defend each other with all their Power and Strength, in such a way and manner as shall be most efficacious, on which they have more particularly agreed, that so the two neighbouring Kings may be brought to conclude a general Peace, on these Terms.

As for *France* and *Spain*, the Towns and Places call'd *Charleroy*, *Aeth*, *Oudenard*, *Courtray*, *Tournay*, *Conde*, *Valenciennes*,

lenciennes, and *St. Guislain*, shall be restor'd to the Catholick King, together with the other Places which the *French* have at any time since the taking of *St. Guislain* possess'd themselves of. The County of *Burgundy* shall remain in the hands of *France*; but all the Towns and Places which the *French* now or hereafter may seize in the Kingdom of *Sicily*, shall be restor'd.

As to *France* and the United Provinces, every thing in *Europe* shall be restor'd on either side.

And forasmuch as those things which the Ambassador Extraordinary of the King of *Great Britain* hath receiv'd in command, concerning the Terms of Peace relating to the Emperor and Empire, are not so clearly set forth, so as to put the finishing stroke to them at this time, and are neither of such moment as to put a stop to the present Treaty; the said Ambassador takes upon himself to procure clearer Intimations of the King his Master's Intentions as to that Affair: And the under-written Ambassadors have promis'd, and do promise, that the said King, and the said States will perform what is agreed on as to that Affair between his said Majesty and the States, and between the Emperor and the States, and what shall be accounted just and equitable.

As to the Duke of *Lorain*, his Dutchy shall be restor'd to him.

As to *Sweden*, there shall be a Cessation of Arms, till the Terms of the Peace are particularly agreed on.

II. To this end, the King of *Great Britain* shall use all his Endeavours and Interest with the most Christian King, to bring him to agree and promise, by a solemn Treaty in the best and most authentick Form, that he will consent to and acquiesce in the aforesaid Conditions of Peace, without any Exception or Reservation, under any pretence or for any cause whatsoever, provided the Catholick King can be induc'd and persuaded by the said King of *Great Britain*, on his part to consent also to the same Terms.

III. The said King of *Great Britain* shall moreover use the same Endeavours and Interest with the most Christian King to bring him to consent to a Cessation of Arms for three Months; that in the mean time the said King of *Great Britain* may use all sorts of good Offices and Endeavours, to bring the Catholick King to give his Consent to the said Conditions.

IV. As the most Christian King can have no just reason to refuse such a Cessation of Arms, the King of *Great Britain* doth

himself by the said Treaty, to bring things so
the Catholick King shall acquiesce with the said

most Christian King shall be induc'd by
Britain, to comply so far, as that he
perform the aforesaid Promise, and
ended on; and farther, that he shall
his Arms in the *Netherlands*;
g of *Great Britain*, beyond all
an neither by his Exhortations and
the said Catholick King, before the Ex-
three Months, to give his consent to the
mentioned; but that there shall be a ne-
ning to more efficacious Methods: neverthe-
most Christian King shall not move or make any
with his Arms, in the borders of the said *Nether-*
; but the King of *Great Britain* takes upon himself to
the defect, so as that the Catholick King shall be
to accept of the said Terms: and so the most Chris-
King shall not be at liberty to commit any Acts of Hos-
in the said Countrys, nor seize any Town, tho the
yields of its own accord, unless the King of *Great Bri-*
ails in the performance of that before promis'd.

Moreover, 'tis agreed on and concluded, that in the
y to be made, as aforesaid, between the King of
Britain and the most Christian King, the said States
ral of the United Provinces shall, in respect to all and
thing which the said King of *Great Britain* happens
ay to consent to and promise to the most Christian
be oblig'd thereto together, and in conjunction with
id King; and in that case they do declare themselves
bound by these Presents, and that in such a manner
they were directly engag'd in the said Treaty, and
gn'd it.

In like manner the said King, and the said States,
at the same time conjointly or separately, as may be
convenient, use all their Endeavours, Instances and
est with the Catholick King, that he shall also give his
nt to the said Conditions of Peace.

II. And if the said most Christian King shall finally
his Consent to the said Articles, it's agreed, by vir-
f this League between his said Majesty and the said
, that they shall forthwith, and without any manner
ay, endeavour with joint and utmost power, to bring

the most Christian King to a Compliance with them, pursuant to the Counsels and Methods, upon which they shall mutually agree amongst themselves.

IX. As the said States are assuredly persuaded, and even very certain, that the said Catholick King will agree to the said Terms; so they take it upon and oblige themselves, in conjunction with the said King of *Great Britain*, most effectually by their Endeavours and good Offices to bring it so to pass, that the said Catholick King shall consent to the said Conditions: and that the Peace on his Majesty's part shall not be retarded.

X. When the Peace is made between the two Crowns, not only the King of *Great Britain* and the said States shall be the Conservators and Guarantees thereof, in the best, plainest and safest Form, but even all Kings and neighbouring Princes, who may think themselves interested therein, that so the Repose of *Christendom* may remain undisturb'd, and the *Netherlands* be restor'd to and maintain'd in Tranquillity; to which end, the number of Forces and other Matters shall be ascertain'd, which are to be employ'd against either of the Partys, who shall disturb or violate the Peace, that the Injury may be repair'd, and the Party satisfy'd.

XI. But if it should so happen, that any of those Friends thus confederated, shall (which God forbid) entertain sinister and wrong thoughts of Matters; and that from thence such Inconveniences might arise, either from Revenge, or even War made by some one of the present Warriors, either to him or them who shall take their part, or to the other States of the Confederates; the said King and the said States shall hold themselves mutually engag'd to withstand all Attacks made upon their Kingdoms, Provinces and Dominions, stoutly to defend their Rights and Libertys both by Sea and Land, and not cease to give assistance to one another, till they have reciprocally obtain'd the Satisfaction and Security they aim at.

XII. All these Articles, and all and every thing contain'd therein, shall by the said King of *Great Britain*, and the said States General of the United Provinces, within the space of four Weeks after the Date hereof, and sooner if possible, in due and authentick Form, be confirm'd and ratify'd, and the Instruments of Ratification shall mutually be exchange'd within the time aforesaid. Done at the
Hague,

1678.

England and Holland.

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Hague, and sign'd and seal'd, *December* the 31st, 1677.
and 10th of *January*, 1678.

- (L. S.) *A. Heyde.*
- (L. S.) *W. van Heukelom.*
- (L. S.) *D. van Wingarden.*
- (L. S.) *Gasper Fagel.*
- (L. S.) *J. de Mauregnault.*
- (L. S.) *Johan. Baron de Rheeде.*
- (L. S.) *Vry Heer van Rensvoude.*
- (L. S.) *E. Ende van Boosma.*
- (L. S.) *Baron de Palant.*
- (L. S.) *G. Grays.*

As 'tis not particular and by name express'd in the first Article of the Treaty concluded this day, between the Ambassador Extraordinary of the King of *Great Britain*, and the Deputys of the States General of the United Provinces, that the Bayliwicks, Chastellanys, Territorys, Governments and Provostships, with their Appurtenances, Dependences, and every thing else annex to the Towns, which by the said first Article are to be restor'd to the Catholick King; and that there is also no mention made of the Dutchy of *Limburg*, and the Town of *Binch*: we the Deputys of the States General, whose Names are under-written, do hereby declare, that it was the Intention of the said States General, that the Bailywicks, Chastellanys, Territorys, Governments and Provostships, together with their Appurtenances, Dependences, and every thing that belongs to the Towns, which by virtue of the said first Article, are to be restor'd to the Catholick King of *Spain*, be included, even as it was provided for by the Treaty of Peace in 1668. concluded between the two Crowns; and that among other things that are to be restor'd, the said Dutchy of *Limburg* and the Town of *Binch* were comprehended; and that we the under-written have sign'd the said Treaty, being in hopes that the said King of *Great Britain* will concur in the same Intentions with the States, seeing that the said Ambassador Extraordinary has signify'd to us that he had no Commands about the same, but that he would give the said King an account of this Declaration of the said Deputys, and use all good Offices, that his Majesty may concur in the same Design with them.

Done at the *Hague*, December the 31st, and the 10th of
January.

Sign'd,

- (L. S.) *W. van Heukelom.*
- (L. S.) *D. van Wingarden.*
- (L. S.) *Gasper Fagel.*
- (L. S.) *J. de Mauregnault.*
- (L. S.) *Johan. Baron de Rheeде.*
- (L. S.) *Vry Heer van Renswoude.*
- (L. S.) *E. Van Bootsma.*
- (L. S.) *Baron de Palant.*
- (L. S.) *G. Grays.*

Separate Article.

SE E I N G that in the first Article of the Treaty concluded this Day it's set down, that the Duke of *Lorain* shall be restor'd to the Dutchy of that Name; and that as to *Sweden*, there shall be a Cessation of Arms there, till all the Terms of the Peace are agreed on : we whose Names are under-written, by virtue of these Presents do declare, that 'tis the Intention of the King of *Great Britain*, and of the States General of the United Provinces, that the said King shall do his utmost, that the Dutchy of *Lorain* be restor'd to the Duke, with the Fortifications in the state they are now; but if this cannot be obtain'd of the most Christian King, in the condition he found when they were taken by him. And as to *Sicily* it's propos'd, that those Towns the most Christian King is in possession of in that Kingdom, or any thing else without the *Netherlands*, shall by way of caution and security remain in his hands, till such time as the Articles of Peace shall be agreed on and concluded in respect to *Sweden*. Done at the *Hague*, Dec. 31st, 1677. and 10th of Jan. 1678. Sign'd,

- (L. S.) *A. Heyde.*
- (L. S.) *W. van Heukelom.*
- (L. S.) *D. van Wingarden.*
- (L. S.) *Gasper Fagel.*
- (L. S.) *J. de Mauregnault.*
- (L. S.) *Johan. Baron de Rheeде.*
- (L. S.) *Vry Heer van Renswoude.*
- (L. S.) *E. van Bootsma.*
- (L. S.) *Baron de Palant.*
- (L. S.) *G. Grays.*

A Treaty of a Defensive Alliance between Charles II. King of England, and the States General of the United Provinces of the Netherlands, concluded at Westminster, March the 3d, 1678.

THE King of Great Britain being very desirous, over and above the strict Engagements with which he is already entred with the States General of the United Provinces, for the Preservation of the Spanish Netherlands, and the Support of the common Interest of this part of Europe, to enter at the same time into a perpetual defensive League with the said States, for the mutual Preservation of each other, their Subjects and Dominions, against all those that durst attempt to attack them, or in any manner of way to injure or molest them. And as the said States, who on their part are equally desirous to enter into the said perpetual Alliance, of a defensive Treaty with his Majesty, have empower'd Monsieur van Beuningen, their Ambassador at his Majesty's Court, to treat of and conclude the said Alliance: His said Majesty having on his part nam'd *Hezeage* Lord Finch, Lord High Chancellor of England; *Thomas* Earl of Danby, Lord High Treasurer of England; *Henry* Earl of Arlington, Lord Chamberlain of his Majesty's Household; *Henry* Coventry Esq; and Sir *Joseph Williamson* Knight, principal Secretaries of State: These his Majesty's Commissioners and the said Ambassador, after several Meetings and Conferences, have, by virtue of their respective Powers, agreed and concluded on these following Articles.

I. There shall for the future be a sincere, firm and perpetual Friendship and Good Correspondence between his Majesty and his Successors, Kings of Great Britain, and his Kingdoms on the one part; and the Lords the States General of the United Provinces of the Netherlands, their States, Territorys and Subjects reciprocally on the other, as well by Sea as by Land, in and throughout all Places, as well within as without Europe.

II. Moreover, there shall be a strict Alliance and faithful Confederacy between his Majesty and his Successors, Kings of *Great Britain*, and the said Lords the States General, their Estates and Territorys, for the mutual Support and Preservation of each other in Tranquillity, Peace, Amity and Neutrality both by Sea and Land, in the possession of all the Rights, Franchises and the Libertys they do, or ought to enjoy, or which they already, or may hereafter acquire by Treatys of Peace, Friendship and Neutrality, which before have been made, and may be for the time to come, conjointly and in common concert with other Kings, Republicks, Princes and Citys, within the bounds of *Europe* only, and no farther.

III. And thus they promise and oblige themselves to be mutual Guarantees, not only of all the Treatys which his Majesty and the said Lords the States General have already made with other Kings, Republicks, Princes and States, which shall be produc'd on either side, before the Exchange of the Ratifications; but also all those that may be made hereafter, conjointly and in common concert; and to defend, assist, and reciprocally to preserve one another in possession of the Territorys, Towns and Places, which do at this time belong, and for the future shall belong, as well to his Majesty and his Successors, Kings of *Great Britain*, as to the said Lords the States General, by the said Treatys, in what part of *Europe* soever the said Territorys, Citys and Places shall be situated; in case his said Majesty, or the said Lords the States General, as aforesaid, happen to be molested or attack'd by some hostile Act or open War, by or upon any pretence whatsoever.

IV. The mutual obligation of assisting and defending one another, is to be understood, and doth extend to the Conservation and Maintenance of his Majesty and the said Lords the States General, their Countrys and Subjects, in all their Rights, Possessions, Immunities and Libertys, as well in respect to Navigation as Commerce, and every thing else both by Sea and Land, which shall be found to belong to them by common Right, or have been acquir'd by Treatys already made, or to be made in the manner aforesaid, with and against all Kings and Princes, Republicks and States; so far forth, that if his Majesty, or the said Lords the States, in prejudice of the said Tranquillity, Peace, Friendship, or present or future Neutrality, shall hereafter be attack'd, or in any other manner whatsoever
disturb'd

disturb'd in the possession and enjoyment of their Estates, Territories, Towns, Places, Rights, Immunitys, and Freedom of Commerce, Navigation, or any thing else, which his Majesty or the said Lords the States General do now enjoy, or shall hereafter enjoy by common Right, or by Treaty already made, or that may be made as aforesaid; his Majesty and the said Lords the States General, as soon as they are inform'd of it, or requir'd thereto by each other, shall do all they possibly can, conjointly to terminate the Troubles or Hostilitys, and procure Reparation to be made for the Loss or Injuriys done to one of the Allys.

V. And in case the said Attempt or Trouble be seconded with any open Rupture, that Party of the two Allys who is not attack'd, shall be oblig'd to break with the Aggressor in two months immediately after the Party that is already at a Rupture shall require it; during which time he shall use all his endeavours by his Ambassadors and other Ministers to mediate a just Accommodation between the Aggressor and Disturber, and the Party first attack'd or molested; and yet shall in the said time give powerful Assistance to his Ally, such as shall be agreed on by the separate Articles between his Majesty and the said Lords the States General; the which, tho there had been no mention made of them in this Article, shall be kept and observ'd, as if they had been inserted and set down therein: it being already left to the choice of that Party of the Allys that shall be at Rupture, to continue to enjoy the benefit of the same Succours, in case the Conjunction of the Times and the State of his Affairs shall make him prefer the Effect thereof before an open Rupture of his Ally with the Aggressor.

VI. The mutual Guaranty being in this manner promis'd and establish'd, when either of the Allys comes to be attack'd or molested, if the States General of the United Provinces happen to be in, or find themselves oblig'd to enter into an open War; his Majesty shall in like manner be oblig'd to break with the Aggressor or Disturber, and to make use of all his Power and his whole Forces both by Sea and Land, and to join them with those of the Lords the States General, when it shall be thought expedient, in order to bring the common Enemy to a reasonable, firm and equitable Accommodation with the King of *Great Britain* and the said United Provinces.

VII. And

VII. And in this case the Forces of his *Britannick* Majesty, and of the said Lords the States General, shall act conjointly or separately, as they his said Majesty and the said Lords the States General shall then more particularly concert Affairs between them: they being to advise and consult together about the most proper methods to annoy the common Enemy, whether by way of diversion or otherwise, to the end he may sooner be brought to an Accommodation as aforesaid.

VIII. The said Lords the States are to perform the same that is contain'd in the two Articles immediately foregoing, in case the King of *Great Britain* shall be attack'd or molested in the manner aforesaid.

IX. When the two Allys come once to an open War, pursuant to the Tenor of this Treaty, it shall be lawful for neither of them afterwards to come to any Cessation of Arms with him, who shall be declar'd and proclaim'd an Enemy, without it be done conjointly and with common Consent.

X. But in case it should come to pass, that there is a Negotiation set on foot, either by way of a Treaty of Peace, or of a Truce for some years; it cannot be begun by one of the Allys without the Concurrence of the other, and without he does at the same time, and as soon as he does it for himself, procure him all the requisite and necessary Facility and Security, to send his Ministers to the Place of Treaty, as also without imparting continually and from time to time every thing that passes in the said Negotiation. And neither shall the one nor the other proceed to the concluding of the said Peace or Truce, without comprehending his Ally therein; and if he desires it, re-instating of him in the possession of the Countrys, Territorys or Places, and in the Enjoyment of the Rights and Immunitys, which he held and enjoy'd before the breaking out of the War, and without stipulating with the common Enemy for the same Rights, Immunitys, Exemptions and Prerogatives for his Ally, as he does for himself, if so be the Allys are not convinc'd to the contrary.

XI. It shall be lawful for either of the Allys, which shall be attack'd, to make Levys of all sorts of Soldiers within the Territorys of the other, in order to serve in their Armys by Land, provided the same be done according to such Regulations as the Partys shall agree upon among themselves.

XII. The

XII. The Ratification of this Treaty shall be produc'd in due form, and exchange'd on both sides, in the space of four weeks, reckoning from the day of signing.

For the confirmation of all which, the said Commissioners and the said Ambassador have sign'd these Presents, and set to their Seals. Done at *Westminster* the third of *March*, 1677. Sign'd,

Finch C. (L. S.)

C. Van Beuninghen, (L. S.)

Danby, (L. S.)

Arlington, (L. S.)

H. Coventry, (L. S.)

Williamson, (L. S.)

Separate Articles.

I. **W**henever the matter contain'd in the fifth Article shall happen, the said King and his Successors and the said Lords the States General shall be oblig'd mutually to assist each other with Succours, whenever they shall be attack'd or molested, in such a manner as it is more fully express'd in the said Article, *viz.* his *Britannick* Majesty shall assist the said Lords the States General with ten thousand Foot, and the said States General his *Britannick* Majesty with six thousand Foot well arm'd, with such Regiments, Companys, Colonels and other Officers, as his said Majesty and the said States shall think convenient, and judge to be most proper for such a Reinforcement; and with twenty Men of War, well fitted up and victuall'd: and shall deliver and maintain the said Auxiliaries at the expence of him that sends them, for the service of the Party which shall be attack'd.

II. When the Necessity of Affairs are such, as that it may be judg'd expedient the number of the Auxiliaries promis'd and agreed on should be augmented; the said King and said States General shall endeavour to settle the same to their mutual Satisfaction.

III. The Auxiliaries which shall be sent, shall be entirely subject to the Commands and Orders of the Party to whom they are sent to serve, and be carry'd to such place as they shall think fit, by Land and Water, to the Camp, Sieges, and Garisons, and even to any place where they may be thought useful and necessary.

In witness whereof the Commissioners of the King of *Great Britain* and the Ambassador of the States General of
the

the United Provinces, have sign'd these separate Articles, and seal'd them with their Seals. Done at *Westminster* the third Day of *March* 167 $\frac{1}{2}$. Sign'd,

(L. S.) *Finch C.*

(L. S.) *C. Van Beuninghen.*

(L. S.) *Danby,*

(L. S.) *Arlington,*

(L. S.) *H. Coventry,*

(L. S.) *Williamson.*

*A Treaty of Alliance between Charles II.
King of Great Britain, and the States
General of the United Provinces, con-
cluded at the Hague, July 26, 1678.*

SEEING the States General of the United Provinces have declar'd, nay and even signify'd by their Letters to the most Christian King, that they as to their own particular, were satisfy'd with the Terms of Peace his Majesty offer'd them; and moreover that the Catholick King, as to what related to him, had yielded his Consent to the said Terms, and that they were ready and had sent their Commands to those Ambassadors they had sent to negotiate a Peace at *Nimeguen*, that they should conclude a Treaty, according to the Conditions which appertain'd to their Republick, with the Ambassadors of the most Christian King, and to those Ministers of the Confederates who lik'd the same: they have learnt with sorrow of heart, that the most Christian King's Ambassadors, to put a stop to so good and so desirable a Work, deny'd that the most Christian King should restore those Towns agreed to be restor'd to the Catholick King and the Lords the States General, before the King of *Sweden* was fully satisfy'd, and that Restitution should be made to his Majesty of all that he had lost during this War. Now the Lords the States General looking upon this Opinion of his most Christian Majesty's Ambassadors to be so erroneous, as not to have any sure grounds for it, nor to be supported by any Rules of Justice: but that the same was quite foreign from the true Intention of his Royal Majesty, and that it could not bear

bear so unjust and severe an Interpretation of the Declaration his Majesty had made: And whereas the Lords the States imparted this Difficulty, that occur'd and obstructed the Peace, to the King of *Great Britain* by their Ambassadors, intreating his Royal Majesty to approve of this their just Cause, and to use all his good Offices with the most Christian King, in order to remove this Remora out of the way; or if the most Christian King persisted in his said Resolution, he would give them his Assistance: and that his Majesty had caus'd a Declaration to be made to the States, that he was of the same opinion with them, and that a Peace could not be made upon such unreasonable Conditions; and that his Majesty also, in case the most Christian King persisted to obstruct the Peace, was ready to assist them with all his Power and Forces. And seeing that the Lords the States sent to their Ambassadors at *Nimeguen*, to signify to the most Christian King's Ambassadors the Unreasonableness of their Demands, and to desire them to agree to, conclude and sign the said Treaty of Peace, and make no delay in the Restitution of the said Places, till the King of *Sweden* was satisfy'd, and what he had lost in the War should be restor'd to him; and to declare on their part that they were ready to put the last hand to the Peace; and that the States General continu'd in the same mind and purpose, to finish and terminate the said Treaty of Peace, provided his most Christian Majesty was pleas'd to restore the said Places as soon as the Treaty of Peace shall be ratify'd and made publick, and cause no longer delay to be made upon the account of any Satisfaction and Restitution to the King of *Sweden*, of what he lost during the War; and that they had us'd all their Endeavours and good Offices with the most Christian King's Ambassadors, that he would give his Consent to the same, and no longer protract the Peace upon that account: Wherefore 'tis agreed and concluded between the King of *Great Britain* and the States General of the United Provinces, that if all the foresaid good Offices shall fall short of Success, and that the most Christian King cannot be brought before the eleventh day of *August* next to declare and promise, that his Majesty will restore the said Towns, after the Ratification and Publication of the said Treaty of Peace; and that no delay shall be made of such Restitution upon account of any Satisfaction or Restitution to be made to the King of *Sweden*, or any other occasion whatsoever;

either upon those Conditions propos'd by the most Christian King, or the other Terms agreed on by this Treaty; the King of *Great Britain* and the States General shall not only be Guarantees thereof in the best, most comprehensive, and safest form: but also all Kings and neighbouring Princes, who may think themselves interest'd therein, that the Peace of *Christendom* may go undisturb'd, and the *Netherlands* be brought to be and to continue in a safe Tranquillity. To which end the number of Soldiers, and other matters that are proper, shall be stated between the King of *Great Britain* and the States General, in order to be employ'd against either of the Partys who shall infringe or violate the Peace; so that the Injury may be repair'd, and the injur'd Party be satisfy'd.

VI. The Articles, and all and every thing contain'd therein, shall be confirm'd and ratify'd by the King of *Great Britain*, and the Lords the States General of the United Provinces under their respective Seals, in due and authentick form, within the space of three weeks after the date hereof, or sooner if possible, and Instruments of Ratification shall be mutually exchange'd within the said time. Done at the *Hague*, July 26, 1678.

(L. S.) *Temple.*

Sign'd,
 (L. S.) *W. van Hewkelom,*
 (L. S.) *D. van Wingaerden,*
 (L. S.) *Gasp. Fagel,*
 (L. S.) *D. van Heyden,*
 (L. S.) *Van Leewen,*
 (L. S.) *J. de Mauregnault,*
 (L. S.) *Joan. Baron de Reed,*
 (L. S.) *A. ter Borgh.*

*A Treaty of Peace betwixt France and the
States General of the United Provinces
of the Low-Countrys; concluded at
Nimeguen the 10th of August, 1678.*

LEWIS by the Grace of God, King of *France* and *Navarre*, to all that shall see these Presents, greeting. Since our most dear and well-beloved Cousin, the Sieur Count *D'Estrades*, Marshal of *France*, and Knight of our Orders; our faithful and well-beloved the Sieur *Colbert*, Marquis of *Croissi*, Counsellor in ordinary in our Council of State; and our faithful and well-beloved, the Sieur *De Mesmes*, Count *D'Avauz*, Counsellor also in our Councils, our Ambassadors Extraordinary and Plenipotentiarys; by virtue of the plenary Powers which we had given them, have concluded, agreed, and sign'd the tenth of this month at *Nimeguen*, with the Heer *Hierosm van Beverning*, Baron of *Teylingham*, Curator of the University of *Leyden*, late Counsellor and Treasurer General of the United Provinces of the *Low-Countrys*; the Heer *William van Nassau* Heer *van Odyke*, Cortgene and first Noble, and Representative of the Nobility in the States and Council of *Zeland*, and the Heer *Wilhem van Haren Griedtman van Bildt*, Ambassadors Extraordinary and Plenipotentiarys of our most dear and great Friends the States General of the United Provinces of the *Low-Countrys*, instructed likewise with full Power, the Treaty of Peace according to the Tenour ensuing.

In the Name of God the Creator: To all present and to come, be it known; that as during the Course of the War that has been stir'd for some years between the most High, most Excellent, and most Mighty Prince *Lewis XIV.* by the Grace of God most Christian King of *France* and *Navarre*, and the Lords the States General of the United Provinces, his Majesty always maintain'd a sincere Desire to give back to the said States his principal Friendship, and they all the Sentiments of respect for his Majesty, and of

Acknowledgment for the Obligations and confiderable Advantages which they have receiv'd from his Majesty, and the Kings his Predecessors, it is at last come to pass that these good Dispositions, seconded by the powerful Offices of the most High, most Excellent, and most Mighty Prince the King of *Great Britain*, who during these troublesome times, wherein almost all Christendom has been in War, hath not ceas'd by his Counsels and good Persuasions to contribute to the publick Weal and Repose, induc'd as well his most Christian Majesty and the said States General, as also all other the Princes and Potentates, that are interest'd in this present War, to consent that the Town of *Nimeguen* should be made choice of for the Treaty of Peace; to which end his most Christian Majesty nam'd for his Ambassadors Extraordinary and Plenipotentiarys, the *Sieur Count D'Estrades* Marshal of *France*, and Knight of his Orders; the *Sieur Colbert* Knight, Marquis of *Croissy*, Counsellor in ordinary in his Council of State; and the *Sieur Mesmes* Knight, Count *D'Avaux*, Counsellor also in his Councils; and the said States General, the *Heer Hierosm van Beverning* Baron of *Teylingham*, Curator of the University of *Leyden*, late Counsellor and Treasurer General of the United Provinces; the *Heer Wilhem van Nassau* *Heer van Odyke*, Cortgene and first Noble, and Representative of the Nobility in the States and Council of *Zeland*; and the *Heer Wilhem van Haren* *Grietman van Bildt*, Deputys in their Assemblys, on the behalf of the States of *Holland*, *Zeland*, &c. Which Ambassadors Extraordinary and Plenipotentiarys, duly instructed with the good Intentions of their Masters, were to repair to the said Town of *Nimeguen*, where after a mutual Communication of their plenary Powers, the Copys whereof are inserted word for word at the end of this Treaty, it was agreed upon Conditions of Peace and Friendship, according to this ensuing Tenour, viz.

I. There shall be for the future betwixt his most Christian Majesty and his Successors Kings of *France* and *Navarre*, and his Kingdoms on the one part; and the Lords the States General of the United Provinces of the *Low-Countrys* on the other part, a good, firm, faithful and inviolable Peace; and all Acts of Hostility, of what kind soever, shall hereafter cease, and be forborn betwixt the said King, and the said Lords the States General, as well by Sea and other Waters as by Land, in all their Kingdoms,

doms, Countrys, Lands, Provinces, and Signiorys, and for all their Subjects and Inhabitants of what quality or condition soever, without exception of Places or Persons.

II. And if any Prizes are taken on either side, in the *Baltick* Sea or the North Sea, from *Terneuse* to the Channel's mouth, within the space of four weeks, or from the said mouth of the Channel to the Cape of *St. Vincent* within the space of six weeks; and further in the Mediterranean Sea, and as far as the Equinoctial, within the space of ten weeks; and beyond the Line, and in all parts of the World, within the space of eight months, to be computed from the day on which the Peace shall be publish'd at *Paris* and at the *Hague*: The said Prizes and the Damages that shall happen on either side after the terms prefix'd, shall be brought to account; and whatever shall have been taken, shall be restor'd, with recompence for the Damages that shall have happen'd thereby.

III. There shall be moreover betwixt the said King, and the said Lords the States General, and their Subjects and Inhabitants mutually, a sincere, firm, and perpetual Friendship and good Correspondence by Sea and Land, in all things and in all places, within *Europe* and without; and no resenting of the Offences or Damages that have been receiv'd either in time past, or by reason of the said Wars.

IV. And in virtue of this Friendship and Correspondence, as well his Majesty as the said Lords the States General, shall faithfully procure and further the Good and Prosperity of one another, by all Support, Aid, Counsel and real Assistances, upon all occasions and at all times; and shall not consent for the future to any Treatys or Negotiations that may be to one another's damage; but shall break them off, and give notice of them to one another with care and sincerity, as soon as ever they come to their knowledge.

V. They that have had any of their Goods seiz'd and confiscated by reason of the said War, their Heirs or Assigns of what Condition or Religion soever, shall enjoy such Goods, and take them into possession of their own private Authority, and by virtue of this present Treaty, without standing in need to have recourse to Law, and that notwithstanding any Appropriations to the Exchequer, Engagements, Gifts in writing, Sentences preparatory or

Acknowledgment for the Obligations and considerable Advantages which they have receiv'd from his Majesty, and the Kings his Predecessors, it is at last come to pass that these good Dispositions, seconded by the powerful Offices of the most High, most Excellent, and most Mighty Prince the King of *Great Britain*, who during these troublesome times, wherein almost all Christendom has been in War, hath not ceas'd by his Counsels and good Persuasions to contribute to the publick Weal and Repose, induc'd as well his most Christian Majesty and the said States General, as also all other the Princes and Potentates, that are interest'd in this present War, to consent that the Town of *Nimeguen* should be made choice of for the Treaty of Peace; to which end his most Christian Majesty nam'd for his Ambassadors Extraordinary and Plenipotentiarys, the *Sieur Count D'Estrades* Marshal of *France*, and Knight of his Orders; the *Sieur Colbert* Knight, Marquis of *Croissy*, Counsellor in ordinary in his Council of State; and the *Sieur Mesmes* Knight, Count *D'Avaux*, Counsellor also in his Councils; and the said States General, the Heer *Hierosm van Beverning* Baron of *Teylingham*, Curator of the University of *Leyden*, late Counsellor and Treasurer General of the United Provinces; the Heer *Wilhem van Nassau* Heer *van Odyke*, Cortgene and first Noble, and Representative of the Nobility in the States and Council of *Zeland*; and the Heer *Wilhem van Haren Grietman van Bildt*, Deputys in their Assemblys, on the behalf of the States of *Holland*, *Zeland*, &c. Which Ambassadors Extraordinary and Plenipotentiarys, duly instructed with the good Intentions of their Masters, were to repair to the said Town of *Nimeguen*, where after a mutual Communication of their plenary Powers, the Copys whereof are inserted word for word at the end of this Treaty, it was agreed upon Conditions of Peace and Friendship, according to this ensuing Tenour, viz.

I. There shall be for the future betwixt his most Christian Majesty and his Successors Kings of *France* and *Navarre*, and his Kingdoms on the one part; and the Lords the States General of the United Provinces of the *Low Countries* on the other part, a good, firm, faithful and inviolable Peace; and all Acts of Hostility, of what kind soever, shall hereafter cease, and be forborn betwixt the said King, and the said Lords the States General, as well by Sea and other Waters as by Land, in all their Kingdoms,

doms, Countrys, Lands, Provinces, and Signiorys, and for all their Subjects and Inhabitants of what quality or condition soever, without exception of Places or Persons.

II. And if any Prizes are taken on either side, in the *Baltick* Sea or the North Sea, from *Terneuse* to the Channel's mouth, within the space of four weeks, or from the said mouth of the Channel to the Cape of St. *Vincent* within the space of six weeks; and further in the Mediterranean Sea, and as far as the Equinoctial, within the space of ten weeks; and beyond the Line, and in all parts of the World, within the space of eight months, to be computed from the day on which the Peace shall be publish'd at *Paris* and at the *Hague*: The said Prizes and the Damages that shall happen on either side after the terms prefix'd, shall be brought to account; and whatever shall have been taken, shall be restor'd, with recompence for the Damages that shall have happen'd thereby.

III. There shall be moreover betwixt the said King, and the said Lords the States General, and their Subjects and Inhabitants mutually, a sincere, firm, and perpetual Friendship and good Correspondence by Sea and Land, in all things and in all places, within *Europe* and without; and no resenting of the Offences or Damages that have been receiv'd either in time past, or by reason of the said Wars.

IV. And in virtue of this Friendship and Correspondence, as well his Majesty as the said Lords the States General, shall faithfully procure and further the Good and Prosperity of one another, by all Support, Aid, Counsel and real Assistances, upon all occasions and at all times; and shall not consent for the future to any Treatys or Negotiations that may be to one another's damage; but shall break them off, and give notice of them to one another with care and sincerity, as soon as ever they come to their knowledge.

V. They that have had any of their Goods seiz'd and confiscated by reason of the said War, their Heirs or Assigns of what Condition or Religion soever, shall enjoy such Goods, and take them into possession of their own private Authority, and by virtue of this present Treaty, without standing in need to have recourse to Law, and that notwithstanding any Appropriations to the Exchequer, Engagements, Gifts in writing, Sentences preparatory or

definitive given by default and contumacy in the Partys absence, or without their being heard, Treatys, Accords and Transactions, and any Renunciations that may have been made at such Transactions, to exclude the right Owners from any part of such Goods: And all and every the Goods and Rights, which according to this present Treaty shall or ought to be restor'd on either side to the first Proprietors, their Heirs and Assigns, may be sold by the said Proprietors, without obtaining any particular Licence so to do; and likewise the Proprietors of such Rents as shall be settled by the Exchequers in lieu of Goods sold, as also of such Rents and Actions as stand on charge in the Exchequers, may respectively dispose of the Propriety thereof by Sale, or otherwise, as of their other proper Goods.

VI. And since the Marquisate of *Bergenopzome*, with all the Rights and Revenues thereto appertaining, and generally all the Lands and Goods of *Monsieur le Comte D'Auvergne*, Colonel General of the Light Horse of *France*, that were under the power of the said States General of the United Provinces, have been seiz'd and confiscated by reason of the War, to which the present Treaty ought to put a happy end; it is agreed, that the said *Sieur Comte D'Auvergne* shall be restor'd to the possession of the said Marquisate of *Bergenopzome*, its Appurtenances and Dependences; and also to all the Rights, Actions, Privileges, Usages and Prerogatives, that he enjoy'd at the time when the War was declar'd.

VII. Each shall continue seiz'd of, and shall actually enjoy the Countrys, Towns, Places, Lands, Islands and Seigniorys, within *Europe* and without, which they now hold and possess, without being disturb'd or molested, directly or indirectly, in any manner whatsoever.

VIII. But his most Christian Majesty, willing to give back to the Lords the States General his principal Friendship, and to give them a singular proof thereof upon this occasion, will immediately after the exchange of the Ratifications put them into possession of the Town of *Maestricht* with the County of *Uronof*, and the Countys and Countrys of *Eauquemond*, *Aalhem*, and *Rolleduc* beyond the *Maeze*, together with the Villages of *Redemption*, *Banc d' St. Servais*, and whatever is belonging to the said Town.

IX. The said Lords the States General do promise, that whatever concerns the exercise of the Roman Catholick Religion, and such as profess it, enjoying their Goods, shall be re-esta-

re-establish'd and maintain'd in the said Town of *Maestricht* and its Dependences, in the same state and in such manner as was regulated by the Capitulation made in the Year 1632. and that such as shall have been endow'd with any Ecclesiastical Goods, Canons, Places, Parsonages, Provostships and other Benefices, shall continue settled in them and enjoy them without any contradiction,

X. His Majesty restoring to the said Lords the States General the Town of *Maestricht* and Countrys thereunto belonging, may yet take and carry away all the Artillery, Powder, Bullets, Provisions, and other warlike Ammunition, that shall be found there at the time of its Restitution; and they that his Majesty shall have appointed for this purpose, may, if they please, make use of the Boats and Carriages of the Country for two months time, and shall have free passage by Water and Land for the carrying away the said Ammunition: And the Governors, Commanders, Officers and Magistrates of the said Town, shall give them all the Assistance they can for the carriage and conduct of the said Artillery and Ammunition. Also the Officers, Soldiers, Men of War, and others that shall leave the said Place, may take thence and carry away all their moveable Goods; but it shall not be lawful for them to exact any thing from the Inhabitants of the Town of *Maestricht* or its Neighbourhood, nor to do any hurt to their Houses, or carry away any thing belonging to the said Inhabitants.

XI. All Prisoners of War on both sides shall be deliver'd, without Distinction or Exception, and without paying any Ransom.

XII. The raising of Contributions demanded by the Governor of the Town of *Maestricht*, of the Countrys subjected, shall continue for all that shall become due till the Ratification of the present Treaty; and such Arrears as shall remain, shall be paid within three months after that, at convenient times; for which a valuable caution shall be given in some Town within his Majesty's Dominion.

XIII. The said Lords the States General have and do promise, not only to maintain a perfect Neutrality without being at liberty to assist, directly or indirectly, the Enemys of *France* or its Allys; but also to guarant all such Engagements as *Spain* shall enter into, by the Treaty that is to be betwixt their most Christian and Catholick Maje-

ftys, and especially that whereby the Catholick King shall be held to the same Neutrality.

XIV. If thro' Inadvertency, or otherwise, there happen any want of due observance of this present Treaty, or other Inconvenience relating thereto, on the part of his said Majesty, or of the Lords the States General, and their Successors, this Peace and Alliance shall remain in full force notwithstanding, so as no breach of Friendship, or of good Correspondence, shall ensue thereupon, but such Contraventions shall be speedily repair'd; if they shall be occasion'd by any particular Subjects faults, those Subjects only shall be punish'd.

XV. And for the better securing Commerce and Friendship hereafter between the Subjects of the said King and those of the States General of the United Provinces of the *Low Country*s, it is agreed and accorded, that in case there be in time to come any interruption of Friendship, or that a Breach shall happen between the Crown of *France*, and the said Lords the States General of the said United Provinces, (which God forbid) then six months after such breach shall always be allow'd to the Subjects of both Partys, to retire with their Effects, and transport them whithersoever they think fit, which also they shall be permitted to do; as likewise to sell or transport their Goods and Movables with all Freedom, so as no hindrance shall be given to them, nor any proceedings be to seize their Effects, much less to secure their Persons.

XVI. As for the Pretences and Interests that concern the Prince of *Orange*, upon which there has been a separate Treaty and Agreement by an Act this day sign'd, the said Writing and all the Contents of it shall be effectual, and shall be confirm'd, fulfill'd and executed, according to the Form and Tenor thereof; neither more nor less than if all its Points in general, and every one of them in particular were word for word inserted into this present Treaty.

XVII. And as his Majesty, and the Lords the States General, acknowledge the Powerful Offices that the King of *Great Britain* has incessantly imploy'd; by his good Counsels and Persuasions, for the publick Weal and Repose; so it is agreed on both sides, that his said Majesty of *Great Britain*, and his Kingdoms, be comprehended by name in this present Treaty, according to the best Form that may be,

XVIII. Within this present Treaty of Peace and Alliance, shall be comprehended on the part of the said most Christian King, the King of *Sweden*, the Duke of *Holstein*, the Bishop of *Strasburg*, and Prince *William* of *Furstemburg*, as interested in the present War: And there shall likewise be comprehended, if they will themselves, the Prince and Crown of *Portugal*, the Duke and Seignior of *Venice*, the Duke of *Savoy*, the thirteen Cantons of the *League-Switzers* and their Allys, the Elector of *Bavaria*, Duke *John Frederick* of *Brunswick Hanover*, and all Kings, Potentates, Princes and States, Towns and particular Persons, to whom his most Christian Majesty shall grant, at their request, to be comprehended within this Treaty on his part.

XIX. And on the part of the Lords the States General, the King of *Spain*, and all other their Allys, that within six weeks, to be computed from the exchange of the Ratifications shall declare their acceptance of the Peace, as also the Thirteen laudable Cantons of the *League-Switzers* and their Allys and Confederates, the Town of *Emden*, and moreover all Kings, Princes and States, Towns and particular Persons to whom they shall grant, at their request, to be comprehended on their part.

XX. The said King, and the said Lords the States General do consent, that the King of *Great Britain*, as Mediator, and all other Potentates and Princes that shall be willing to enter into the like Engagement, may give his Majesty and the said States General their promise, and tie themselves to guarant the performance of all that is contain'd in this present Treaty.

XXI. This present Treaty shall be ratify'd and approv'd by the said King, and the said Lords the States General; and each Party's Letters of Ratification shall be deliver'd in proper due Form within the term of six Weeks, or sooner if it may be, reckoning from the day of signing.

In witness whereof, we the aforesaid Ambassadors of his Majesty, and of the Lords the States General, by virtue of our respective Powers, have on their behalf sign'd these Presents with our ordinary Seals, and have set our Coats of Arms to the same. At *Nimeguen*, the 10th of *August*, in the Year of our Lord, 1678.

Le Ma' d'Estrades.
Colbert.
De Mesmes.

H. Beverning.
W. van Nassau.
W. Haren.

We liking well the aforeſaid Treaty of Peace, in all and every the Points and Articles therein contain'd and declar'd, have for our ſelves, our Heirs, Succeſſors, Kingdoms, Countrys, Lands, Lordſhips and Subjects, accepted, approv'd, ratify'd and confirm'd, and do accept, approve, ratify and confirm the ſame; and do promiſe upon the Word and Faith of a King, to keep and obſerve the whole inviolably, without ever acting to the contrary, directly or indirectly, in any ſort or kind whatſoever: and thereto we oblige and mortgage all and every our Goods that are or ſhall be. In witneſs whereof, we have ſign'd theſe Preſents with our own Hand, and have made our Seal to be ſet thereto. Given at *St. Germain en Laye*, the 18th day of *Auguſt*, in the Year of Grace 1678. and of our Reign the 36th.

Sign'd, *Lewis*, by the King.

And underneath, *Arnauld*.

A ſeparate Article concerning the Prince of Orange.

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all that ſhall ſee theſe Preſents, greeting. Since our moſt dear and well-beloved Couſin, the *Sieur Count d'Eſtrades*, Maſhal of *France* and Knight of our Orders; our faithful and well-beloved, the *Sieur Colbert*, Marquels of *Croiffy*, Counſellor in ordinary in our Council of State; and our faithful and well-beloved, the *Sieur de Meſmes*, Count d'*Avaux*, Counſellor alſo in our Councils, our Ambaſſadors Extraordinary and Plenipotentiarys, by virtue of the plenary Powers which we had given them, have concluded, agreed and ſign'd, on the 10th day of this Month at *Nimeguen*, with the *Sieur Hieroſme van Beverning*, Baron of *Teylingham*, Curator of the Univerſity at *Leyden*, heretofore Counſellor and Treasuſer General of the United Provinces in the *Low Countrys*, the *Sieur Wilhem van Naſſaw Heer van Odyke*, Cortgene and firſt Noble and Representative of the Nobility in the States and Council of *Zeland*, and the *Sieur Wilhem van Haren Grietman van Bildt*, Ambaſſadors Extraordinary and Plenipotentiarys of our moſt dear and great Friends, the States General

General of the United Provinces of the *Low Country*s, qualify'd likewise with plenary Powers, this Article in Tenor as followeth, *viz.*

As in pursuance of the War, which for some Years has happen'd betwixt the most Christian King and the States General of the United Provinces of the *Low Country*s, his Majesty caus'd to be seiz'd all things belonging to the Prince of *Orange*, as well the Principality of *Orange* as other his Lands and Seigniorys lying in *France*, and granted the Revenues thereof to Monsieur the Count d' *Auvergne*, who enjoys the same at present; and since by the Grace of God a Peace is settled by the Treaty this day concluded, and so all the angry effects of War ought to cease, his Majesty hath promis'd to the said Prince, and doth promise by this separate Act, that immediately after the Ratifications exchanged, his Majesty will take off the said Seizure, and cause the said Prince to be restor'd to the Possession of the said Principality, and of the Lands which belong to him in *France*, *Franche Comte*, *Charleroy*, *Flanders*, and other Countryes depending upon his Majesty's Rule, and to all his Rights, Actions, Privileges, Usages and Prerogatives, in such estate and manner as he enjoy'd the same, till he was dispossest'd by reason of the present War. *Nimeguen*, the 10th day of the Month of *August*, in the Year 1678.

Marshal d' *Estrades*.

H. Beverning.

Colbert.

W. de Nassaw.

De Mesmes.

W. Haren.

We well liking the separate Article aforesaid, in all and every point thereof, have by these Presents sign'd with our Hand, allow'd, approv'd and ratify'd, and do allow, approve and ratify the same; promising upon the Faith and Word of a King, to fulfil, observe, and cause to be observed the same truly and faithfully, without ever suffering any thing to be acted, directly or indirectly, to the contrary thereof, for any cause or upon any occasion whatsoever. In witness whereof we have sign'd these Presents with our Hand, and have caus'd our Seal to be put thereto. Given at *St. Germain en Laye*, the 18th day of *August*, in the Year of Grace 1678. and of our Reign the 36th.

Sign'd, *Lewis.*

And underneath was sign'd, by the King, *Arnauld.*

A

A Treaty of Commerce, Navigation and Marine, betwixt France and the States General of the United Provinces of the Low-Countrys; concluded at Nimeguen, the 10th of August, 1678.

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all such as shall see these Presents, greeting. Since our most dear and well-beloved Cousin, the *Sieur Count d' Estrades*, Marshal of *France*, Knight of our Orders; our faithful and well-beloved, the *Sieur Colbert*, Marquis of *Croissy*, Counsellor in ordinary in our Council of State; and our faithful and well-beloved, the *Sieur de Mesmes*, Count d' *Avaux*, Counsellor also in our Councils, our Ambassadors Extraordinary and Plenipotentiarys, by virtue of the plenary Powers which we had given them, have concluded, agreed and sign'd, on the 10th of this Month in the Town of *Nimeguen*, with the Heer *Hierosme van Beverning*, Baron of *Teylingham*, Curator of the University at *Leyden*, heretofore Counsellor and Treasurer General of the United Provinces of the *Low Countrys*, the Heer *Wilhem van Nassaw* Heer *van Odyke*, Cortgene and first Noble and Representative of the Nobility in the States and Council of *Zeland*, and the Heer *Wilhem van Haren Grietman van Bildt*, Ambassadors Extraordinary and Plenipotentiarys of our most dear and great Friends, the States General of the United Provinces of the *Low Countrys*, instructed likewise with plenary Powers, a Treaty of Commerce, Navigation and Marine, in Tenor as followeth, viz.

The Treaty of Peace which has this day been concluded betwixt the most Christian King and the Lords the States General of the United Provinces, putting an end to all the Subjects of discontent which for some time had alter'd the Affection which his Majesty, following the example of the Kings his Predecessors, hath always had for their Good and Prospe-

Prosperity ; and the said Lords the States General entring again into the same desire, which they have heretofore testify'd for the Greatness of *France*, and into sentiments of a sincere Acknowledgment for the Obligations and considerable Advantages which they have heretofore receiv'd from it : there is reason to believe, that this good Understanding betwixt his Majesty and the States General can never be disturb'd. But as his Majesty will not omit any thing that may strengthen it, and the States General being no less desirous to perpetuate it, have thought that there was no better and more certain means than to establish a free and perfect Correspondence between the Subjects on both sides ; and to this end, to regulate their particular Interests in matters of Commerce, Navigation and Marine, by the most proper Laws and Conventions, for preventing all Inconveniences that might weaken the said good Correspondence ; his Majesty aforesaid, to satisfy the desire of the said States, hath ordain'd the *Sieur Count d' Estrades*, Marshal of *France*, and Knight of his Orders, the *Sieur Colbert*, Marquis of *Croissy*, Counsellor in ordinary in his Council of State, and the *Sieur de Mesmes*, Count d' *Avaux*, Counsellor also in his Councils, to be his Ambassadors Extraordinary and Plenipotentiarys at the Assembly of *Nimeguen* ; and the said Lords the States General, the Heer *Hierosme van Beverning* Baron of *Teylingham*, Curator of the University at *Leyden*, late Counsellor and Treasurer General of the United Provinces, the Heer *Wilhem van Nassau* Heer van *Odyke*, Cortgene and first Noble and Representative of the Order of the Nobility in the States and Council of *Zeland*, and the Heer *Wilhem van Haren Grietman van Bildt*, deputed to their Assembly on behalf of the States of *Holland*, *Zeland* and *Friezland*, to confer and agree by virtue of their Powers respectively to be produc'd, the Copy whereof is here under-written, upon a Treaty of Commerce and Navigation, in manner as followeth, viz.

I. His Majesty's Subjects, and those of their Lordships the States General of the United Provinces of the *Low-Country*s, shall mutually enjoy the same freedom in matters of Commerce and Navigation, that they ever enjoy'd before this War, throughout all Kingdoms, States and Provinces of either Party.

II. And consequently they shall not exercise for the future any manner of Hostilitys or Violence, the one against the other, neither by Sea nor Land ; nor in Rivers, Roads,
nor

nor Fresh-waters, in any name or under any pretence whatsoever: neither may his Majesty's Subjects take any Commissions for Privateers, or Letters of Reprisal from any Princes or States at Enmity with the said Lords the States General, much less molest or endamage them in any sort, by virtue of such Commissions, or Letters of Reprisal, nor so much as go to Sea with them, on pain of being prosecuted and punish'd as Pirates: Which shall reciprocally be observ'd by the Subjects of the United Provinces, with relation to his Majesty's Subjects. And to this end, whensoever and as often as it shall be requir'd on either side, there shall be publish'd and renew'd within such Lands as are under his said Majesty's obedience, and within the United Provinces, most exprefs and most precise Prohibitions to make use in any sort whatsoever, of such Commissions, or Letters of Reprisal, on the pain above-mention'd, which shall severely be put in Execution against the Offenders, besides a full restitution which they shall be bound to make to such as they shall in any wise have endamag'd.

III. And the better to obviate all such Inconveniences as might happen by reason of Prizes taken thro' inadvertence or otherwise, and especially in Places remote, it has been agreed and accorded, If any Prizes shall be taken on either side in the Baltick Sea, or the North Sea, from *Terneuse* in *Norway* to the Channel's Mouth, within the space of four weeks, or from the Mouth of the said Channel to the Cape of *St. Vincent*, within the space of six weeks, or beyond that within the Mediterranean Sea, and as far as the Equinoctial, within the space of ten weeks, or beyond the Line and in all other parts of the World, within the space of eight months, to be computed from the Publication of this present Treaty; such Prizes as shall be taken and the damage done on either side, after the times prefix'd, shall be brought to account; and whatever shall have been taken shall be restor'd, with recompence for all the damage thereby sustain'd.

IV. All Letters of Mart and Reprisal that heretofore may have been granted for any cause whatsoever, are declar'd void: nor may any be granted hereafter by either of the said Allys, in prejudice of the other Subjects, but only in case of manifest denial of Justice, which shall not be suppos'd to be, unless the request of the Party that demands Letters of Reprisal be communicated to the Minister of the State, against whose Subjects such Letters ought to be

be granted, that shall be upon the place; to the end that in four months time or sooner, if may be, he may either inform himself to the contrary, or procure a restitution of what shall be due by Law.

V. Neither shall the private Subjects of his Majesty be liable to Actions, or their Persons or Goods to Arrests and Seizures, for any Debt that may be owing by his Majesty; nor the private Subjects of the said Lords the States General, for the publick Debts of the said States.

VI. The Subjects and Inhabitants of the Countrys under his Majesty's obedience and of the States General, shall live, converse and frequent with one another in all good Friendship and Correspondence, and shall enjoy freedom of Commerce and Navigation throughout one another's Countrys in *Europe*, for all sorts of Merchandizes and Wares, the Traffick and Transportation whereof is not generally prohibited to all, as well Subjects as Foreigners, by the several Laws and Ordinances of each State.

VII. And to this end his Majesty's Subjects, and those of their said Lordships the States General, may freely frequent with their Merchandizes and Ships, the Countrys, Lands, Towns, Ports, Places and Rivers of each State; may bring thither and sell there to all Persons indefinitely, may buy, traffick and transport all sorts of Merchandizes the Importation and Exportation whereof shall not be prohibited, both to all his Majesty's Subjects and those of the said Lords the States General: Neither may this mutual Liberty be prohibited, limited or restrain'd by any Privilege, Grant, or any particular Concession; neither shall either Party be permitted to grant to their own Subjects any Immunities, Benefits, gratuitous Concessions, or any other Advantages besides those granted to the Subjects of the other Party, or to their prejudice; neither shall the Subjects on either side be bound to pay greater or other Dutys, Charges, Payments or Impositions whatsoever upon their Persons, Goods, Wares, Ships or Freights, directly or indirectly, by any name, or under any title or pretence whatsoever, other than such as shall be paid by the proper and natural Subjects of either Party.

VIII. Ships of War belonging to either Party shall always find the Roads, Rivers, Ports and Havens free and open for them to sail in and out, and lie at Anchor as long as they shall have occasion, without being liable to be search'd; but with charge nevertheless to use this freedom

with discretion, and not to give any subject of jealousy by a too long and affected stay nor otherwise, to the Governors of the said Places and Ports, to whom the Captains of the said Ships shall declare the cause of their arrival and of their stay there.

IX. His Majesty's Ships of War, and those of the Lords the States General and of their Subjects, that shall be fitted out for War, may with all freedom conduct such Prizes as they shall have taken from their Enemys where they think good, without being ty'd to any Dutys, either of the Lords Admirals, or of the Admiralty, or any other: and so likewise that the said Ships, or the said Prizes coming within his Majesty's Havens or Ports, or those of the said Lords the States General, shall not be liable to be stop'd or seiz'd, nor the Officers of the several Places have power to enquire into the validity of the said Prizes; but that they may go out, and be freely conducted, and with all freedom convey'd to the Places where the Captains of such Ships of War, by virtue of their Commissions, shall be oblig'd to have them forth-coming. And on the other hand, there shall be no Refuge nor Retreat allow'd within their Ports and Havens, to such as shall have taken any Prizes from his Majesty's Subjects, or those of the said Lords the States General; but if any such shall be driven in there by stress of Weather or dangers of the Sea, they shall be sent out again with all possible haste.

X. The Subjects of the said Lords the States General shall not be accounted Aubains in *France*, and consequently shall be exempted from the Aubain Law, and may dispose of their Goods by Will, Gift or otherwise: and their Heirs, Subjects of the said States, as well living in *France* as elsewhere, may possess themselves of their Estates, even tho they dy'd intestate, and that without purchasing Letters of Naturalization; and so as the effect of this Grant shall not be liable to be drawn in question or impeded upon pretence of any Right or Prerogative of Provinces, Cities, or private Persons. Likewise the Subjects of the said Lords the States may, without such Letters of Naturalization, settle themselves in the Towns of his Majesty's Kingdom, for Commerce and Traffick, but so as not to be capable of acquiring the freedom of such Towns, without having obtain'd his Majesty's Letters of Naturalization in due form: and the Inhabitants of the United Provinces shall be treated generally in all things and in all places as favourably as his

his Majesty's true and natural born Subjects; and particularly, they shall not be liable to such Taxes as may be laid upon Strangers. And all contain'd in this present Article shall be observ'd within the Countrys that are subject to the said Lords the States, with relation to his Majesty's Subjects.

XI. Vessels laden belonging to either of the said Allies, sailing by the Coasts of the other, if they shall be driven in to any Road or Port, by Storm or otherwise, shall not be constrain'd to unlade, or to vend their Merchandize, or any part thereof, nor bound to pay any Dutys, but only when they shall unlade voluntarily and of their own accord.

XII. Neither Masters of Ships, their Pilots, Officers, Soldiers, Mariners and other Seamen, the Vessels themselves, nor the Wares and Merchandizes wherewith they are laden, shall be liable to be seiz'd or arrested, by virtue of any general or particular Order of any whomsoever, nor for any cause or upon any occasion whatsoever, no not under pretence of the preservation and defence of the State: and generally, it shall not be lawful to take any thing from the Subjects of either Party without the Owner's consent, and without payment of what shall be requir'd: Wherein nevertheless it is not understood, that such Seizures or Arrests shall be compriz'd as shall be made by order and authority of Law, and in the ordinaly Methods, for lawful Debts, Contracts, or other legal Causes, for which there shall be any Proceeding by due course of Law.

XIII. All the Subjects and Inhabitants of *France*, and of the United Provinces, may with all safety and freedom sail with their Vessels, and traffick with their Merchandizes, without any distinction to be made who are the Proprietors, from their own Ports, Kingdoms and Provinces, and also from the Ports and Kingdoms of other States or Princes, to their Countrys who are already, or hereafter may be declar'd Enemys, as well to *France* as to the United Provinces, or either of them: As also, the said Subjects and Inhabitants may with the same safety and freedom sail with their Vessels, and traffick with their Merchandizes, without any distinction to be made who are the Proprietors, from the Places, Ports and Roads of such as are Enemys to both or one of the said Partys, without contradiction or disturbance from any whomsoever, not only directly from such Places at Enmity to a Place neuter, but also from one Enemy's Country to another, whether under the Jurisdiction of one and the same Sovereign, or of several.

XIV. This Transportation and Traffick shall extend to all sorts of Merchandizes, except contraband Goods.

XV. Within this kind of contraband Merchandizes are only understood to be compriz'd all sorts of Fire-arms, and their Accoutrements, as Cannons, Muskets, Mortar-pieces, Petards, Fire-balls, Granadoes, Sauages, Barrels of Pitch, Carriages, Pitch-forks, Bandaliers, Powder, Match, Saltpetre, Bullets, Pikes, Swords, Head-pieces, Casks, Cuirasses, Halberts, Javelins, Horses, Saddles, Cases for Pistols, Belts, and other Accoutrements for War.

XVI. Within this kind of contraband Merchandizes shall not be compriz'd Wheat, Corn, and other Grain, Beans, Oil, Wine, Salt, nor generally whatever serves for Nourishment and Sustainance of Life; but they shall remain free as other Merchandizes and Wares, uncompriz'd within the foregoing Article: and it shall be lawful to transport them, even to Places at Enmity with their said Lordships the States, except to Towns and Places besieg'd, block'd up or invested.

XVII. For the putting whereof in execution it is agreed to be in manner following, *viz.* That the Ships and Barks with Merchandize belonging to his Majesty's Subjects, having entred into any Haven of the said Lords the States, and intending to pass thence to those of the Enemys aforesaid, shall be oblig'd only to shew to the Officers of the Havens of the said Lords the States, from whence they shall depart, their Passports, containing the Particulars of their Ships burden, attested and mark'd under the ordinary and known Seal and Sign of the Officers of the Admiralty of the Places from whence they first loos'd, and declare to what Place they are bound, all in the ordinary and customary Form. After which exhibition of their Passports, in manner aforesaid, they shall not be liable to be molested, search'd, detain'd, nor retarded in their Voyages, upon any pretence whatsoever.

XVIII. The same shall be observ'd with relation to such *French* Ships and Barks, as shall come within any Roads belonging to the Territorys and under the obedience of the said Lords the States, without intending to enter into any Haven, or entring in, without intending to unlade or break their bulk; which Vessels shall not be bound to give an account of their Cargoes, unless there shall be some Suspicion of their carrying to the Enemys of the said Lords the States, any contraband Goods, as aforesaid.

XIX.

XIX. And in case of manifest Suspicion, the said Subjects shall be oblig'd to shew within the Ports, their Passports, in manner aforesaid.

XX. If they shall have entred into any Roads, or shall be met upon the high Sea, by any Ships of the said Lords the States, or of Privateers their Subjects, such Ships of the United Provinces, for avoiding all disorder, shall not approach within Cannon-shot of the *French*, but may send their small Boat or Shallop on board the said *French* Ships or Barks, with two or three Men only, to whom the Masters of the *French* Ships shall shew the Passports, and Letters of Sea, in manner aforesaid, according to the Formulary for the said Letters of Sea, that shall be inserted at the end of this Treaty: by which Passports and Letters of Sea, may appear not only the Ships burden, but also the place of abode and residence, as well of the Master or Owner, as of the Ship itself; to the end that by these two means it may be known, whether they carry any contraband Merchandizes, and the quality as well of the said Ship as of its Master and Owner, may sufficiently appear; to which Passports and Letters of Sea, full credit and belief shall be given. And that the validity of them may the better appear, and that they may not in any sort be falsify'd or counterfeited, certain Marks and Counter-scriptions shall be given, both by his Majesty and by the said Lords the States General.

XXI. In case any such Merchandizes and Wares, as are above declar'd to be contraband and prohibited, shall, by the means aforesaid, be found within the said *French* Vessels and Barks, bound for Havens belonging to Enemys of the said Lords the States, they shall be taken out, condemn'd and confiscated by the Judges of the Admiralty in the United Provinces, or other competent Judges; but so as the Ship and Bark, or other Goods, Merchandizes and Wares found therein, being free and permitted, may not therefore be seiz'd in any manner, nor confiscated.

XXII. It is moreover accorded and agreed, that whatever shall be found laden by his Majesty's Subjects, in any Ship belonging to the Enemys of the said Lords the States, tho' not being contraband Goods, shall be confiscated, together with all that shall be found in such Ship, without exception or reserve; but on the other hand also, whatever shall be, and be found in Ships belonging to the Subjects of the most Christian King, shall be free and affranchis'd, tho'

the lading, or part thereof, belong to the Enemies of the said Lords the States, except Contraband Goods; concerning which, such Regulation shall be observ'd, as has been order'd in the foregoing Articles. And for the more particular clearing of this Article, it is moreover accorded and agreed, in case it shall happen that both the said Partys, or but one of them, shall be engag'd in War, that the Goods belonging to the Subjects of the other, and laden on board their Vessels that are Enemys to both, or either, shall not in any wise be confiscated, by reason, or under pretence of being embark'd in an Enemy's Vessel: and this same shall be observ'd not only when such Wares shall have been ship'd, before the Declaration of the War, but even after such Declaration; provided that it be within the times and spaces following, *viz.* If they shall have been shipp'd within the Baltick Sea, or the North Sea, from *Terneuse* in *Norway* to the mouth of the Channel, within the space of four Weeks, or from the Channel's mouth to the Cape of *St. Vincent*, within the space of six Weeks, and from thence in the Mediterranean Sea, and as far as the *Æquinoctial*, within the space of ten Weeks, and beyond the Line, and in all parts of the World, within the space of eight Months, to be computed from the Publication of this present Treaty: So that the Merchandizes and Goods of Subjects and Inhabitants, ship'd in such Vessels, belonging to Enemys, during the said Terms, and within the extents aforesaid, may not in any wise be confiscated, by reason of their being on board such Enemys Vessels, but shall be restor'd to the Proprietors without delay, unless they shall have been put on board after the expiration of the said Terms. And yet it shall in no wise be permitted to transport to Enemys Ports such contraband Goods, as shall be found on board such Enemys Vessels, tho they be restor'd for the reason aforesaid. And as it has been rul'd in what has gone before, that a free Ship shall affranchise the Wares that are on board it, it is moreover accorded and agreed, that this freedom shall extend to such Persons likewise as shall be in free Ships; insomuch that tho they be Enemys to both Partys, or to one of them, yet being found in a free Ship, they may not be taken thence, unless they be Soldiers, and actually in the Enemys Service.

XXIII. All the Subjects and Inhabitants of the said United Provinces, shall reciprocally enjoy the same Rights, Liberties and Exemptions, in their Traffick and Commerce within

within his Majesty's Ports, Roads, Seas and Estates, which it has but now been said, that his Majesty's Subjects shall enjoy in those of the said Lords the States, and on the high Sea; it being to be understood, that the equality shall be mutual in all respects on both sides, even tho hereafter the said Lords the States should be in Peace, Friendship and Neutrality, with any Kings, Princes or States, that should become Enemy's to his said Majesty: yet each Party shall reciprocally adhere to the Conditions and Restrictions express'd in the Articles of this present Treaty, which concern Traffick and Commerce.

XXIV. And the better to assure the Subjects of the said Lords the States, that no violence shall be offer'd to them by the said Ships of War, all Captains of the King's Ships, and other his Majesty's Subjects, shall be forbidden to molest or endamage them in any thing whatsoever, on pain of being liable in their Persons and Estates for such Damages sustain'd, and to be sustain'd, till due Restitution and Reparation made.

XXV. And for this reason, each Captain and Privateer shall be oblig'd for the future, before their departure, to enter good and solvent Bail, before competent Judges, in the Sum of Fifteen Thousand Livres *Tournois*, to answer each for all such Misdemeanours as they shall commit in their Voyages, and for the Contraventions of their Captains and Officers to this present Treaty, and to his Majesty's Ordinances and Edicts, which shall be publish'd by virtue and in pursuance of what is hereby regulated, on pain that their Commissions and Licences shall become null and void; which thing the Subjects of the said Lords the States General shall do in like manner.

XXVI. If it should happen that any *French* Captains take a Vessel laden with such contraband Goods, as aforesaid, such Captains may not open or break the Coffers, Mails, Bundles, Bags, Tuns, and other Cases, or transport, sell or exchange, or otherwise alienate them, unless they shall have been landed in presence of the Judges of the Admiralty, and after an Inventory made by them of the said Merchandizes found in such Vessels; unless the said contraband Goods, making but part of the Lading, the Master of the Ship think good and agree to deliver the said contraband Goods to the said Captain, and to pursue his Voyage: in which case such Master or Owner may not in any sort be hindered from pursuing his course, and the design of his Voyage.

XXVII. His Majesty, willing that the Subjects of the said Lords the States General be treated in all Countries, under his obedience, as favourable as his own Subjects, will give all necessary Orders to have such Judgments and Decrees, as shall be given and made upon Prizes taken at Sea, pass'd with all Justice and Equity, by unsuspected Persons, and such as are not concern'd in Interest in the things in question: and his Majesty will give precise and effectual Orders, that all Decrees, Judgments and Orders of Courts of Justice heretofore given, and hereafter to be given, be speedily and duly executed according to their Forms.

XXVIII. And whenever the Ambassadors of the said Lords the States General, or other their publick Ministers, which shall be in his Majesty's Court, shall complain of such Judgments as shall have been given; his Majesty will cause the said Judgments to be review'd by his Council, that inquiry may be made whether the Orders and Cautions contain'd in this present Treaty, have been pursu'd and observ'd, and that such provision may be made as shall be reasonable, which thing shall be done within the space of three Months at most; and yet neither before the first Judgment, nor after the same, while the Review is depending, may the Goods and Effects which shall be reclaim'd, be sold nor discharg'd, but with the consent of the Partys concern'd, to prevent their perishing.

XXIX. If Process issue at the first and second instance, against any that shall have taken Prizes at Sea, and the Partys interested in the same; and the said Partys interested come to obtain a favourable Judgment or Decree, such Judgment and Decree shall be executed upon giving Security, notwithstanding the Appeal of him that shall have taken the Prize, but not contrariwise: and what has been said in this and the foregoing Articles, for the doing of Right and speedy Justice to the Subjects of the United Provinces, concerning Prizes taken by his Majesty's Subjects, shall be understood, that it is likewise to be perform'd by the Lords the States General, with relation to Prizes taken by their Subjects from those of his Majesty.

XXX. His Majesty and the Lords the States General may at any time cause to be built or freighted in one another's Country, such number of Ships, either for War or Trade, as they shall think good, and may buy such quantities of Ammunition as they shall have use for, and may use their Authority for having such Bargains for Ships and Ammuni-

Ammunition, driven honestly and at reasonable prices; and yet neither may his Majesty nor the Lords the States General, grant the like Permission to one another's Enemys, in case such Enemys shall be the Aggressors.

XXXI. If it shall happen that Ships of War or of Trade be driven by storm or other accident on the Coasts of either Ally, the said Ships, their Furniture, Goods and Merchandize, and whatever shall be sav'd, or the Proceed thereof, if the Goods being perishable shall have been sold; the whole if reclaim'd by the Proprietors, or others having charge of the same, within a year and a day shall be restor'd without any formal process, paying only reasonable freight, and what shall be regulated betwixt the said Allys to be due for saving. And in case any thing be done contrary to this present Article, his Majesty and the said Lords the States General promise to use their Authority effectually, for the punishing such of their Subjects as shall be found guilty of those Inhumanitys, that have sometimes to their great grief been committed upon such-like occasions, with all possible Severity.

XXXII. Neither his Majesty, nor the said Lords the States General, shall receive, nor suffer their Subjects to receive in any Country of their obedience, any Pyrates or Exiles whatsoever, but shall cause them to be pursu'd and punish'd, and driven out of their Ports; and as well the Ships as Goods taken by such Pyrates or Exiles, which shall be found in being, shall forthwith without Forms of Process, be freely restor'd to the Proprietors reclaiming them.

XXXIII. The Inhabitants and Subjects on both sides, may throughout the Countrys under the Obedience of his Majesty, and of the said Lords the States General, make use of such Advocates, Proctors, Notarys, and Solicitors, as they shall think good; who likewise shall be appointed to them by the ordinary Judges, when there shall be occasion, and such Judges be thereto requested. And the said Subjects and Inhabitants shall be permitted, on both sides, to keep their Books of Trade and Correspondence in their several places of residence, in what Language they please, without being liable for that matter to be molested or search'd.

XXXIV. The said King, as also the said Lords the States General, for the convenience of their trading Subjects, may settle Consuls, of their said Subjects Nation, in

one another's Kingdom and Estates; which Consuls shall enjoy such Rights, Libertys and Franchises, as belong to them by reason of their Function and Employment: and they shall be settled in such Places, as by common consent shall be judg'd necessary.

XXXV. His Majesty and the said Lords the States General, shall not suffer any Vessel of War, or other set forth by Commission or for the service of any Prince, Commonwealth, or Town whatsoever, to come and make prize within the Ports, Havens, or any Rivers belonging to them, upon one another's Subjects: and in case any such thing shall happen, his said Majesty and the said Lords the States General, will use their Authority and Power to cause Restitution or reasonable Reparation to be made.

XXXVI. If thro' Inadvertence, or otherwise, there should be any want of due observance of this present Treaty, or Contraventions to the same on his Majesty's part, or of the said Lords the States General, and their Successors; it shall remain in force notwithstanding, without coming for such cause to a breach of Confederation, Friendship or good Correspondence: but such Contraventions shall be speedily repair'd; and if they shall be occasion'd thro' the fault of any private Subjects, they only shall be punish'd and chastis'd.

XXXVII. And for the better assurance for the time to come of Commerce and Friendship between the Subjects of the said King, and those of the said Lords the States General of the United Provinces of the *Low Country*s, it is accorded and agreed, That if hereafter any Interruption of Friendship or Breach shall happen between the Crown of *France*, and the said Lords the States General of the said United Provinces (which God forbid) nine months time shall always be allow'd to the Subjects of both Partys, after such a Rupture, to retire and withdraw their Effects, and transport them whither they please; which likewise they shall be permitted to do, as also to sell and transport their Goods and Moveables with all freedom: nor shall any hindrance be given them, nor any proceedings be, during such time of nine months, to seize their Effects, much less to arrest their Persons.

XXXVIII. The present Treaty of Commerce, Navigation and Marine, shall be in force five and twenty years, to begin from the day of signing; and the Ratifications shall be made in due form, and be exchang'd on both sides, within

within the space of six weeks, to be computed from the day of signing.

A Formulary for Passports, and Letters to be granted by the Admiralty of France, to Ships outward bound, in pursuance of an Article of this present Treaty.

LEWIS Count *de Vermandois*, Admiral of France, to all that shall see these Presents, Greeting. We do you to know, that we have given leave and permission to
Master and Governor
nor of the Ship call'd _____ of the Town of

_____ of the burden of _____ Tuns, or
thereabout, lying at present in the Port and Haven of
to sail to _____ laden with

after his Ship shall have been search'd; who before he depart, shall make Oath before such Officers, as have the Jurisdiction of Marine Causes, that the said Vessel belongeth to one or more of his Majesty's Subjects; the Certificate of which Oath shall be annex'd to these Presents; as also to keep and cause to be kept by his Ships Crew, the Ordinances and Regulations for maritime Affairs; and shall enter in the Office a Catalogue, sign'd and certify'd, of the Names and Surnames, and the Places of Birth and Abode of his Ship's Crew, and of all such as he shall have on board, whom he may not take in without the knowledge and leave of the Officers for maritime Affairs: and in every Port or Haven, where he shall enter with his Ship he shall shew to the Officers and Judges of maritime Causes this present Licence, and shall give them a faithful account of what shall have happen'd in his Voyage, and shall carry the King's Flags, Arms and Ensigns, and ours, during his Voyage. In witness whereof we have caus'd our Sign and Seal of Arms to be set to these presents; and have caus'd them to be underwritten by our Secretary for maritime Affairs, at _____ the _____ day of

one thousand six hundred

Sign'd *Lewis Count de Vermandois.*

And underneath sign'd, by

A Form of the Certificate concerning the Oath.

We of the Admiralty
certify that Master
of the Ship nam'd in the foregoing Passport, has taken the
Oath therein mention'd. Given at the
day of one thousand six hundred

Another Form of Letters, to be granted by the Sea-Port Towns of the United Provinces, to Ships and Barks outward bound, in the pursuance of the aforesaid Article.

TO the most Serene, most Illustrious, most Mighty, Honourable, and Prudent Lords, Emperors, Kings, Commonwealths, Princes, Dukes, Earls, Barons, Lords, Burgermasters, Sheriffs, Counsellors, Judges, Officers, Justitiars, and Governors of all good Towns and Places, as well Ecclesiastical as Secular, which shall see or read these Presents; We the Burgermasters and Governors of the Town of

Master of the Ship appearing before us,
hath solemnly depos'd upon Oath, that the Ship call'd
of the burden of about

Lafts, of which at prefent he is Mafter, belongeth to the
 Inhabitants of the United Provinces. As God fhould help
 him, and as we fhould be willing to fee the faid Mafter
 affifted in his lawful Affairs; fo we require you all in ge-
 neral, and thofe in particular where the faid Mafter with
 his Ship and Wares fhall arrive, that they will be pleas'd
 to receive him courteoufly, and duly to treat him, if he
 fhall be a Sufferer, with relation to the accuftom'd Dutys
 of Customs and Freights, within, thro', and at your Ports,
 Rivers, and Demefnes; fuffering him to fail, pafs, fre-
 quent, and negotiate where he fhall think fit, which we
 fhall willingly acknowledge. In witness whereof, we have
 caus'd the Seal of our Town to be fet hereto.

A Separate Article concerning the Imposition of Fifty Sols per Tun, upon Strangers Ships, sailing out of Ports in France.

LEWIS by the Grace of God King of *France* and of *Navarre*: To all that shall see these Presents, Greeting.
Since our most dear and well-beloved Cousin, the Sieur
Count

Count d'Estrades, Marshal of France, and Knight of our Orders, our faithful and well-beloved the Sieur Colbert, Marquis of Croissy, Counsellor in ordinary in our Council of State, and our faithful and well-beloved the Sieur de Mesmes, Count d'Avaux, Counsellor also in our Councils, our Ambassadors Extraordinary and Plenipotentiarys; by virtue of the plenary Powers which we had given them, we concluded, agreed and sign'd on the tenth day of this month in the Town of Nimeguen, with the Heer Hielm van Beverning, Baron of Teylingham, Curator of the University of Leyden, late Counsellor and Treasurer-General of the United Provinces of the *Low Country*s, the Heer Wilhem van Nassau Heer van Odyke, Cortgene and first Noble and Representative of the Nobility in the States and Council of *Zeland*, and the Heer Wilhem van Harenrietman van Bildt, Ambassadors Extraordinary and Plenipotentiarys of our most dear and great Friends the States General of the United Provinces of the *Low Country*s, arm'd likewise with full Power, this separate Article in Tenor followeth, viz.

It hath been stipulated on the behalf of the most Christian King, and consented to by the Lords the States General of the United Provinces of the *Low Country*s, That the quality which is precisely to be observ'd, with relation to the Subjects of each and the Natives, as to Dutys, Charges and Impositions, according to the seventh Article of the Treaty of Commerce this day concluded, shall not derogate from the Imposition of fifty Sols per Tun, impos'd in France upon Strangers Ships; and that the Subjects of the Lords the States General of the United Provinces of the *Low Country*s, shall be bound to pay the same as other Strangers, unless his Majesty, upon such Remonstrances as may hereafter be made to him on the behalf of the said Lords the States General, considering the same with that great Affection with which his Majesty is pleas'd to honour them, shall order otherwise. But necessary Orders shall from this present be given by his said Majesty, That the said Imposition of fifty Sols be exacted from Ships belonging to the Subjects of the said United Provinces but once in each Voyage, at their going out of the Ports of his Kingdom, and not at their coming in; and that the said Ships, laden with Salt, pay but a Moiety of the said fifty Sols, upon condition that if the said Lords the States shall think fit to lay the like Imposition on Strangers Ships with them
(which

(which they shall be free to do) they shall not exceed, with relation to his said Majesty's Subjects, the proportion of what their own Subjects pay in *France*; the said seventh Article remaining, in relation to all other Dutys, Charges and Impositions present and future, in full force and virtue, without being liable to be limited or exceeded by any other Exception or Restriction whatsoever, other than as above is express'd.

Which separate Article shall be of like force and virtue as if it were inserted into the body of the aforesaid general Treaty this day concluded.

Nimeguen the tenth of August 1678.

*Le Mal. d' Estrades,
Colbert.
De Mesmes.*

*H. Beverning.
W. van Nassau.
W. Haren.*

*The Treaty of Peace between France and
Spain, concluded at Nimeguen the 17th
of September, 1678.*

*In the Name of God the Creator, and the
Holy Trinity.*

LET it be known to all present and future, That whereas during the Course of the War which is sprung up for some years between the most High most Excellent and most Puissant Prince *Lewis XIV.* by the Grace of God most Christian King of *France* and *Navarre*, and his Allys on the one side; and the most High most Excellent and most Puissant Prince *Charles II.* by the Grace of God Catholick King of *Spain*, and his Allys, on the other side: Their Majestys wishing nothing more ardently, than to see the same finish'd by a good Peace, and to put a stop to the Desolation of so many Provinces, to the Tears of so many People, and the Effusion of so much Christian Blood, which has induc'd them to comply with the good Offices of the most High, most Excellent, and most Puissant Prince, the King of *Great Britain*, to send their

their Extraordinary Ambassadors and Plenipotentiarys to the City of *N. meguen*, it has happen'd thro' the Effect of Divine Bounty, who would make use of the Confidence their Majestys continu'd to take in the Mediation of the said Lord the King of *Great Britain*, that at last the said Extraordinary Ambassadors and Plenipotentiarys, viz. on the part of his most Christian Majesty, the *Sieur Count d'Estrades*, Mareschal of *France*, and Knight of his Orders; the *Sieur Calbert* Knight, Marquis of *Croissy*, ordinary Counsellor of his Council of State; and the *Sieur de Mesmes*, Knight, Count of *Avaux*, also Counsellor of his Councils: And on the side of his Catholick Majesty, the *Sieur Don Pablo Spinola Doria*, Marquis of *los Balbases*, Duke of *Sesto*, Lord of *Gimosa*, *Casalmasetta* and *Pontecurone*, Counsellor of his Council of State, and his great Prothonotary in his Council of *Italy*; *Don Gaspar de Thebes* and *Cordocca Tello*, and *Guzman*, Count of *Venazura*, Marquis of *Fuente*, Lord of *Lerena*, of the House of *Arracas*, of the Isles of *Guadalupa* and *Metaliene*, perpetual Master of the *Victory*, Mayor perpetual and Chamberlain of the Town of *Seville*, Gentleman of the Chamber to his Imperial Majesty, Counsellor of the Sovereign Council of War, and his General of Artillery; *Don Pedro de Ronquillo*, Knight of the Order of *Alcantara*, Counsellor of his Councils of *Castile* and the *Indies*; and *Don John Baptiste Christin*, Knight, Counsellor of the Supreme Council of *Flanders*, near the Person of his said Catholick Majesty, and of his Councils of State and Privy in the *Netherlands*: by virtue of Letters and Commissions which they have reciprocally communicated, have covenanted and agreed to the reciprocal Conditions of Peace and Friendship, in the Tenour as followeth.

I. It's covenanted and agreed, that for the future there shall be a good, firm, and lasting Peace, Confederacy, perpetual Alliance and Amity between the most Christian and Catholick Kings, their Children born and to be born, their Successors and Heirs, their Kingdoms, States, Countries and Subjects; that they shall mutually love each other as good Brothers, procuring with all their power the Benefit, Honour and Reputation of each other; and faithfully hinder, as much as possible, the damage of each other.

II. In pursuance of this good Reunion, the Cessation of all manner of Hostility agreed on and sign'd the 19th day of *August* of this present year, shall continue according to
its

its Tenour between the said Kings, their Subjects and Vassals, as well by Sea and other Waters as by Land, and generally in all places where War is made by the Arms of their Majestys, as well between their Troops and Armys, as between the Garisons of their places. And if the said Cessation should have been contraven'd by taking of Place, or Places, either by Attack or Surprize, or secret Intelligence; or if any Prisoners should be taken, or other Acts of Hostility committed by some unaware Accident, or such as could not be foreseen, contrary to the said Cessation of Hostility, the Contravention shall be faithfully repaired on the one side as well as the other, without any delay or difficulty, restoring without any diminution what might have been possess'd, and delivering the Prisoners without Ransom or Payment of Expences; so that all things shall be put in the same state they were the said 10th of *August*, when the said Suspension of Arms was agreed to and sign'd; the Tenour of which is to be observ'd till the Day of the Exchange of the Ratifications of the present Treaty. All grounds of Misintelligences or Hostilitys shall be bury'd and abolish'd for ever, and all that has been done and past, occasion'd by this present War, or during the same, shall be put in eternal oblivion, that neither the one part nor the other may for the future directly or indirectly make any enquiry by Justice or otherwise, under any pretence whatsoever; nor shall their Majestys, or their Subjects, Servants and Adherents on the one side or on the other, testify any manner of Resentment of all the Offences and Damages they might have receiv'd during this present War.

III. In consideration of the Peace, his most Christian Majesty immediately after the Exchange of the Ratifications of this present Treaty, shall return to the Catholick King's Power, the Place and Fortres of *Charleroy*, the City of *Binch*, the Citys and Fortresses of *Aeth*, *Oudenard* and *Courtray*, with their Provostships and Chastellanys, Appurtenances and Dependences, as they were possess'd by his Catholick Majesty before the War in the Year 1667. all which Towns and Places were left to the said Lord the most Christian King, by the Catholick King, at the Treaty sign'd at *Aix la Chapelle* the second of *May* 1668. from which by this present Treaty it has been positively derogated, as for what regards the said Towns and Places, their Appurtenances and Dependences: in consequence whereof, the

the said Lord the Catholick King shall re-enter into the possession thereof, for to enjoy them, he and his Successors, fully and peaceably, except the Verge of *Menin*, and of the City of *Conde*, which tho it has been pretended formerly by his most Catholick Majesty, as Member of the Chastellany of *Aeth*, shall nevertheless be left to the Crown of *France*, with all its Dependences, by virtue of the present Treaty, as shall be said hereafter.

IV. The said Lord the Christian King obliges himself also, and promises to return into the hands of the said Lord the Catholick King, immediately after the Exchange of the Ratifications, the City and Dutchy of *Limburg* with all its Dependences, and the Country on the other side the *Meuse*, the Town and Citadel of *Ghent* also, with all its Dependences; the Town and Place of *St. Guislain*, the Fortifications of which nevertheless shall be raz'd; and the City of *Puicerda* in *Catalonia* in the state it is at present, with their Countrys, Places, Castles, Forts, Lands, Lordships, Domains, Bayliwicks, Appurtenances, Dependences and Annexes, without reserving or retaining any thing for to be possess'd by his Catholick Majesty and his Successors, as they enjoy'd before the present War.

V. The said Towns, Cities, Places of *Charleroy*, *Binch*, *Aeth*, *Oudenard* and *Courtray*, their Bayliwicks, Chastellanys, Governments, Provostships, Territorys, Domains, Lordships, Appurtenances, Dependences and Annexes, by what Name soever they may be call'd, with all their People, Vassals, Subjects, Towns, Boroughs, Villages, Hamlets, Forests, Rivers, Flat Countrys, and all other things whatsoever depending, shall be left by the said present Treaty of Peace to his Catholick Majesty, his Heirs, Successors, and Pretenders, irrevocably and for ever, with the same Rights of Sovereignty, Propriety, Regal Rights, Guardianship and Jurisdiction, Nomination, Prerogatives and Preheminences on the Bishopricks, Cathedral Churches and Abbeys, Priorys, Dignitys, Curatehips, and all other Benefices being in the extent of the said Country, Places and Bayliwicks, arising from some Abbeys, of which the said Priorys are moving or depending, and all other Rights which have heretofore appertain'd to the most Christian King, tho they may not be here specially mention'd, to the end his Catholick Majesty may not for the future be troubled or disturb'd by any means whatsoever, neither by Right or Deed by the said Lord the most Christian King,

his Successors, or any other Prince of his House, on any pretence or occasion that may happen, or the said Sovereignitys, Proprietys, Jurisdiction, Resort, Possession and Enjoyment of all the said Countrys, Citys, Places, Castles, Lands and Lordships, Provostships, Domains, Chastellanys and Bayliwicks, together with all Places and other Things which may depend thereon. And for this effect, the said Lord the most Christian King, as well for himself, as his Heirs, Successors and Pretenders, renounces, quits, yields and transfers, as his said Plenipotentiarys in his name by this present Treaty of irrevocable Peace, have renounc'd, quitted, yielded and transfer'd perpetually and for ever, in favour and to the profit of the said Lord the Catholick King, his Heirs, Successors and Pretenders, all the Rights, Actions and Pretensions, Regal Rights, Patronage, Guardianship, Jurisdiction, Nomination, Prerogatives and Preheminences upon the Bishopricks, Cathedral Churches, and all other Benefices, being in the extent of the said Places, Countrys and Bayliwicks; and upon some Abbeyes, the said Priorys are transfer'd with and depend upon, and generally without retaining any thing, or reserving other Rights, that the said Lord the most Christian King, or his Heirs and Successors, have and pretend, or might have and pretend, for what reason or occasion soever, on the said Countrys, Places, Castles, Forts, Lands, Lordships, Domains, Chastellanys and Bayliwicks, and on the Places depending, notwithstanding all Laws, Customs and Constitutions made to the contrary, tho they might have been confirm'd by Oath; from which, and from the derogatory Clauses of Derogatorys, it's expressly derogated by this present Treaty. For the effect of the said Renunciations and Resignations, which will and shall take place without the Expression or particular Specification derogated from the general, or the general from the particular, and excluding for ever all Exceptions, on whatever Rights, Titles, Causes or Pretence they may be grounded, the said Lord the most Christian King declares, consents, wills and means, that the People, Vassals, and Subjects of the said Countrys, Citys and Lands, given over to the Crown of *Spain*, as has been mention'd here above, shall be and remain free and absolv'd from this present time and for ever, of the Faith, Homages, Services and Oath of Fidelity which they might have jointly and each of them made to him, and to his Predecessors the most Christian Kings; as also from all Obedience,

Obedience, Subjection and Vassalages : it being the said Lord the most Christian King's Will, that the said Faith, Homages and Oaths of Fidelity, shall remain null and of no value, as if they had never been made or rendred.

VI. The said Lord the most Christian King shall also restore to the said Lord the Catholick King, all the Citys, Places, Forts, Castles and Posts, which his Armys are or might be in possession of till the day of the Publication of the Peace, in what place of the World they may be situated : As also, his Catholick Majesty shall restore to his most Christian Majesty all Places, Forts, Castles and Posts, which his Armys might have possess'd during this War, till the day of the Publication of the Peace, in what place soever they may be situated.

VII. The Restitution of the said Places, as has been mention'd, shall be made by the said Lord the most Christian King, or his Minister, really and faithfully, without any delay or difficulty, for what cause or occasion it may be, to him or those who shall be appointed by the said Lord the Catholick King, in the time and manner above-mention'd, and in the State the said Places now are in at present, without demolishing, weakning, diminishing or endamaging any thing in any manner, without taking or demanding any Reimbursement for the Fortifications added to the said Places, nor for payment of what may be due to the Soldiers and Military Persons there.

VIII. It has been further agreed, That all Proceedings, Judgments and Arrests, given by the Judges and other Officers of his most Christian Majesty, establish'd in the said Citys and Places which he possess'd by virtue of the Treaty of *Aix la Chapelle*, and here above given over to his Catholick Majesty, or by the Parliament of *Tournay*, by reason of the Differences and Processes carry'd on, as well by the Inhabitants of the said Places and their Dependences, as others, during the time they have been under the Obedience of the said Lord the most Christian King, shall have time to withdraw their full and entire Effects in the same manner as they should do, as if the said Lord the King should continue Lord and Possessor of the said Towns and Country : and the said Judgments and Arrests cannot be call'd in question or annull'd, nor the Execution thereof otherways retarded or prevented, but it may be free to the Partys to provide themselves by reviving of the Cause, and according to the Rule and Disposition of the Laws and Ordinances,

dinances, the Judgments shall in the mean time remain in their full Force and Virtue without prejudice to what has been stipulated to this purpose by the 21st Article of this present Treaty.

IX. The Ministers of his most Christian Majesty, after the Peace of *Aix la Chapelle*, having obtain'd in the Conference at *Liste*, That the *Western* and *Eastern* Sluices of the City of *Newport*, and the Fort in *Vierboat*, being at the end of the *Western* Sluice near the entrance of the Harbour of *Newport*, and part of that of the *New Dam*, built on the *Eastern* Sluice, with the Heads of the said Harbour, enjoy'd by those of *Furnes*, belonging to the Territorys and Jurisdiction of the Chastellany of *Furnes*, and nevertheless ought to appertain to his most Christian Majesty : and the Ministers of his Catholick Majesty insisting to the contrary that it did not, and tho it was, that it should suffice that his Catholick Majesty being a Sovereign Prince at the time when the said Fortifications were made, as well in regard of the Chastellany of *Furnes*, as of the Town of *Newport*, he might have incorporated and appropriated the said Partys to the Harbour and Fortifications of *Newport*, and by that means render them inseparate from the said Town ; it has been agreed, That the said Sluices and other parts of the Fortifications of *Newport*, here above-nam'd, shall remain in his Catholick Majesty's hand, so as that his most Christian Majesty, under colour that the Town and Chastellany of *Furnes* belong to him, shall never make any Pretensions thereunto ; and as to the flowing of the Waters of the Chastellany of *Furnes*, it shall be continu'd, and it shall enjoy it after the same Form and Manner as has been practis'd hitherto.

X. The said Lord the most Christian King shall retain, remain possess'd, and enjoy effectively, all the County of *Burgundy*, commonly call'd the *Franche Comte*, and the Towns, Places and Countrys depending, comprizing the City of *Bezancon* and its District, as also the Towns of *Valenciennes* and its Dependences, *Bouchain* and its Dependences, *Conde* and its Dependences, notwithstanding they were formerly pretended to be a Member of the Chastellany of *Aeth* ; *Cambray* and the *Cambresis*, *Aire*, *St. Omer*, and their Dependences, *Ipres* and its Chastellany, *Warwick* and *Warneton* on the *Lys*, *Poperinghen*, *Pailleul* and *Cassel*, with their Dependences, *Bavay* and *Maubeuge*, with their Dependences.

XI. The

XI. The said County of *Burgundy*, its Citys, Places and Countrys depending, therein comprizing the City of *Bezancon* and its District, as also the said Citys and Places of *Valenciennes*, *Bouchain*, *Conde*, *Cambray*, *Aire*, *St. Omer*, *Ipres*, *Wervick* and *Warneton*, *Poperinghen*, *Bailleul*, *Cassel*, *Bavay* and *Maubeuge*, their Bailliages, Chastellanys, Governments, Provostships and Territorys, Domains, Lordships, Appurtenances, Dependences and Annexes, by what Name they may be term'd, with all the People, Vassals, Subjects, Towns, Suburbs, Villages, Hamlets, Forests, Rivers, Flat Countrys, Salt-pits, and all other things whatever depending, shall remain by the said present Treaty of Peace in his most Christian Majesty's Hands, his Heirs, Successors and Pretenders, irrevocably and for ever, with the same Rights of Sovereignty, Propertys, Regal Right, Patronage, Guardianship and Jurisdiction, Nomination, Prerogative and Preeminence upon Bishopricks, Cathedral Churches and other Abbys, Priors, Dignitys, Curateships, and all other Benefices being in the extent of the said Countrys, Places and Bailliages yielded up, and on some Abbys the said Priors are moving and depending upon, and all other Rights which have formerly appertain'd to the Catholick King, tho they may not be especially mention'd; to the end his most Christian Majesty may not for the future be troubled or disquieted by any means whatsoever, neither by Right or by Deed, by the said Lord the Catholick King, his Successors or any Prince of his House, or by any whatsoever, or under what pretence or occasion that may happen from the said Sovereignty, Propriety and Jurisdiction, Resorts, Possession and Enjoyment of all the said Countrys, Towns, Places, Castles, Lands and Lordships, Provostships, Domains, Chastellanys and Bailliages, as also of all the Places and other things depending. And for this effect the said Lord the Catholick King as well for himself as his Heirs, Successors and Pretenders, renounces, quits, gives over and transfers, as his said Plenipotentiarys in his Name by the present irrevocable Treaty of Peace have renounced, given over and transferred perpetually and for ever, in favour and to the profit of the said Lord the most Christian King, his Heirs, Successors and Pretenders, all the Rights, Additions, Pretensions, Regal Rights, Patronage, Guardianship, Jurisdiction, Prerogatives and Preeminence upon the Bishopricks, Cathedral Churches, and all other Benefices whatsoever, being in the extent of the said Places, Countrys

and Bailliages yielded up, and upon some Abbys the said Priories be moving and depending on, and generally without retaining or reserving any other Rights which the said Lord the Catholick King, or his Heirs and Successors have and pretend to, for what cause and occasion it may be, on the said Countrys, Places, Forts, Lands, Lordships, Domains, Chastellanys and Bailliages, and on all the Places depending, notwithstanding all Laws, Customs and Constitutions to the contrary, tho it may have been confirm'd by Oath, to which, and to the derogatory Clauses of Derogatorys it is expressly derogated by this present Treaty for the effect of the said Renunciations and Surrenders, which will and shall have place, unless the Particular Expresssion or Ratification shall derogate from the General, or the General from the Particular, and excluding for ever all Exceptions, on what Right, Title, Cause or Pretence they may be grounded: The said Lord the Catholick King declares, consents, wills and means that all People, Vassals and Subjects of the said Countrys, Citys and Lands given over to the Crown of *France*, as has been above-mention'd, shall be and remain free and absolv'd at this present, and for ever, of the Faith, Homage, Service and Oath of Fidelity, which they, all and each of them, have made to him and his Predecessors Catholick Kings, as also from all Obedience, Subjection and Vassalages which by reason thereof they might owe to him the said Lord the Catholick King; he being willing that the said Faith, Homage and Oath of Fidelity, shall remain null, and of no value, as if they had never been made or tender'd.

XII. And since his most Christian Majesty has declar'd, by the Conditions he proffer'd for a Peace, he will have the town of *Charlemont*, or in exchange that of *Dinant*, to be left to his Catholick Majesty's choice, on condition that his said Catholick Majesty would oblige himself to obtain from the Bishop of *Liege* the surrender of *Dinant*, and the consent of the Emperor and Empire; his Catholick Majesty has chosen to retain the Town of *Charlemont* as formerly, in consequence whereof he obliges himself, and promises to obtain from the said Bishop and Chapter of *Liege* the surrender in authentick Form of the said Town of *Dinant*, with the Emperor and Empire's consent, to reckon from the day and date of the Ratification of the Treaty of Peace, which is to be made between the Emperor and the said Lord the most Christian King: And in case his said Catho-

lick Majesty, shall not be able to obtain the said Surrender from the Bishop and Chapter of *Liege*, with the Emperor and Empire's consent, he obliges himself, and promises to restore immediately after the said Term, the said Town of *Charlemont* to the hands of his most Christian Majesty, in order to enjoy it, as all other Places and Countrys yielded to the said Lord the most Christian King, by the 11th and 12th Articles of this present Treaty.

XIII. And to prevent all Difficultys which the Land lying within each other's Bounds have caus'd, in the Execution of the Treaty of *Aix la Chapelle*, and re-establish for ever a good Intelligence between both Crowns, it has been agreed, That the Lands, Boroughs and Villages thus lying within those Provostships which are given over, or which belong'd already before this present Treaty to his most Christian Majesty on the other side of the *Sambre*, shall be exchange'd, with others which shall be nearer the Places, and to the conveniency of his Catholick Majesty; as shall also the Villages in the Verge of *Menin*, which shall be found situated too near *Courtray*, be exchange'd for others which shall be nearer, and to the conveniency of his most Christian Majesty; and likewise the Villages of the Provostship of *Mons*, which shall be found so advanc'd in the Country yielded to his most Christian Majesty in *Hainault* as to interrupt Communication, shall be exchange'd for others depending on the Country yielded to the said Lord the most Christian King, which shall be nearer and more convenient for his Catholick Majesty; and generally, That all Lands which shall be within the Bounds of the Countrys yielded and restor'd to one of the said Kings, shall be mutually exchange'd for others of equal value, if they can agree about the exchange.

XIV. Commissioners shall be deputed from both Partys two Months after the Ratification of this present Treaty, who shall assemble in the place which shall be respectively agreed, as well to proceed in the said Exchanges, as to regulate the Limits between the States and Lordships which shall remain with each of the said Kings by this present Treaty in the *Netherlands*, as also for liquidating real Debts legally mortgag'd on the Lands and Lordships yielded or restor'd to either of the two Crowns, and to agree about what part or share each of them shall pay for the future, and generally and friendly to adjust all Differences which may occur in the Execution of this present Treaty.

XV. When any Difficulty shall happen about the Exchange, as abovesaid, which shall hinder the effect, it shall not be allow'd to either Party to establish Officers to embarrass, nor render more difficult the Communication of Places which shall belong to the same Dominion; and the Officers who are establish'd shall not demand Customs but on Merchandize, going from one Dominion to another to be consum'd there, or to pass into remote Countrys.

XVI. The said Kings, in rendring or restoring respectively the Places above-mention'd, may withdraw and carry off all the Artillery, Gun-powder, Balls, Arms, Provisions and other Ammunitions of War which shall be found in the said Places at the time of the Reduction or Restitution of them; and those whom they shall appoint for that purpose, shall have liberty to make use, during the space of two Months, of Waggon and Boats of the Country; and they shall have free Passage, as well by Water as by Land, for carrying away of the said Ammunitions: and the Governors and Commanders, Officers and Magistrates of the Places and Countrys thus restor'd, shall give them all the Facility that lies in them, towards the carrying and conducting the said Artillery and Ammunitions. The Officers, and also the Soldiers, military Persons and others, that shall go out of the said Places, shall have liberty to withdraw and carry away their Effects and Movables belonging to them, without being allow'd to extort any thing from the Inhabitants of the said Places and flat Country, nor endamage their Houses, or carry off any thing appertaining to the said Inhabitants.

XVII. The raising of Contributions demanded either from the one or the other Party of the Countrys which are liable thereto, shall be continu'd for all that remains to be elaps'd till the 16th of *October* next; and the Arrears which shall be due at the time of the said Ratifications shall be paid in the space of three Months after the above-mention'd term, and no Execution can be made during that time against the Commonaltys thus indebted, provided they have given good and valuable Security by Persons residing in a Town under the Dominion of the said King, to whom the said Contribution shall be due.

XVIII. It has been also agreed, that the Reception of Dutys, of which the said Lord the most Christian King is in Possession, in all the Countrys which he renders and restores to the said Lord the Catholick King, shall be continued

tinued till the day of actual Restitution of the Places on which the said Countrys are depending; and that which shall at that time remain due of the said Restitution, shall be faithfully paid to such as have taken Farms: as also that at the same time the Proprietors of the confiscated Woods in the Dependences of the Places which are to be render'd to his Catholick Majesty, shall return into possession of their Effects, and of all the Wood that there shall be found upon the place, as well as under-Wood. That all cutting of Wood shall cease, as well on the part of the one as the other, at the day of signing this present Treaty.

XIX. All Papers, Letters, Documents concerning the said Countrys, Lands and Lordships, which are yielded and restor'd to the said Kings, by this present Treaty of Peace, shall be faithfully deliver'd by both Partys in three Months after the Ratifications of this present Treaty have been exchange'd, in what place soever the said Papers and Documents may be found; as also those taken out of the Citadel of *Ghent*, and the Chamber of Accompts at *Liste*.

XX. All the Subjects of the one part as well as the other, both Ecclesiastick and Secular, shall be re-establish'd in the Enjoyment of their Honours, Dignitys and Benefices, of which they were possess'd before the War, as well as in all their Effects, Moveables and Immovables, and Rents upon Lives seiz'd and occupy'd from the said time, as well on the occasion of the War as for having follow'd the contrary Party; likewise in their Rights, Actions and Successions fallen to them, tho since the War commenc'd: without nevertheless demanding or pretending any thing of the Fruits and Revenues arising since the seizing of the said Effects, immovable Rents and Benefices, till the Publication of this present Treaty.

XXI. Nor likewise any Debts, Effects and Movables, which might have been confiscated before the said Day, so as that neither the Creditors of such Debts and Depositors of such Effects, nor their Heirs or Pretenders, sue or pretend the Recovery of the same: Which Re-establishment in the manner before said, shall extend in favour of those who have follow'd the contrary Party, for that they shall re-enter by the means of this present Treaty into the Grace of their King and Sovereign Prince, as also repossess their Goods, in the condition they shall be found at the Conclusion and Signing of this present Treaty.

XXII. And the said Re-establishment of the said Subjects shall be made on the one side and the other according to the Contents of the 21st and 22^d Articles, notwithstanding all Donations, Concessions, Declarations, Confiscations, Commissions, Sentences Preparatory or Definitive, contumaciously given in the Absence of Partys, and the same not heard; which Sentences and Judgments shall be null and of no effect or value, and as not given and pronounc'd, with full and intire Liberty to the Partys to return into the Country from whence they before withdrew, to enjoy, in their Persons, their immovable Goods, Rents or Revenues, or establish their Abode out of the said Country, in such a place as they shall think fit, the Chance being left to them without constraint to be us'd against them in this regard: and in case they should rather live in another place, they may depute such Persons (not suspected) as they shall think fit, for the managing and enjoying of their Estates, Rents and Revenues, except in case of Benefices, requiring Residence, which are to be personally administred.

XXIII. Those who have been provided on the one side or the other with Benefices, being at the Collation, Presentation or other Disposition of the said Kings or others, as well Ecclesiastick as Laicks, or who may have obtain'd Provision from the Pope of some other Benefices situated in the Dominion of either of the said Kings, by the consent and permission of which they may have enjoy'd them during the War, shall remain in possession and enjoyment of the said Benefices during their Lives, as well and duly provided, without it be meant to prove any prejudice hereafter to the Rights of the Legal Collators, who shall enjoy them and dispose of them as they were us'd to do before the War.

XXIV. All Prelates, Abbots, Priors, and other Ecclesiasticks, who have been nominated to their Benefices, or provided therewith by the said Kings, before the War, or during the same, and of which their Majestys were in possession and power to nominate before the Ruptures between the two Crowns, shall be maintain'd in their possession and enjoyment of all the said Benefices, without being troubled therein, on any pretence or occasion whatsoever; as also in the free enjoyment of all the Goods which shall be found to have been dependent thereon, antiently and in right to confer the Benefices depending in what place the said Goods and Benefices shall be found situated, provided

provided nevertheless that the said Benefices be fill'd with capable Persons, and who have the requisite Qualities according to the Regularity observ'd before the War, but so as that neither the one part nor the other can send Administrators to govern the said Benefices and enjoy the Revenues, which cannot be receiv'd but only by the Titularys which have been legally provided therewith: As also all Places which have formerly acknowledg'd the Jurisdiction of the said Prelates, Abbots and Priors, in what part soever they be situated, shall acknowledge it for the future, provided their Right appears establish'd antiently, tho the Places should be found in the extent of the Dominion of the contrary Party, or depending on some Chastellany or Bailliages appertaining to the said contrary Party.

XXV. It has been covenanted, agreed and declar'd, That nothing is meant to be revok'd from the *Pyrenean Treaty*, except what concerns *Portugal*, with whom the Catholick King is now in Peace, nor from the Treaty of *Aix la Chapelle*, as in what hath been otherwise dispos'd of in this, by the surrender of the abovesaid Places, unless the Partys have acquir'd any new right, or might have receiv'd any prejudice in their respective Pretensions in all things which have not been positively mention'd by this present Treaty: and consequently all that was not stipulated by the said *Pyrenean Treaty* concerning the Interest of *Mantua*, the Duke of *Savoy*, and the Dowry of the late Illustrious Infanta *Catherine*, shall be observ'd, saving that this particular Expression shall not hurt or prejudice the general Stipulation made in this present Article of the Execution of the said Treatys of the *Pyrenees* and *Aix la Chapelle*.

XXVI. Altho their most Christian and Catholick Majestys contributed all their Care for the re-establishing of a general Peace, and that by the good means of a general Cessation of Arms, they ought to hope it will be follow'd by a prompt Conclusion of all, which is to secure the Tranquillity of all *Christendom*; nevertheless, since the said Lord the Christian King has insisted, that the said Lord the Catholick King should oblige himself not to assist any Prince, now in War against *France* and its Allys, his Catholick Majesty has promis'd and promises, to remain in an exact Neutrality, during the Course of this War, without assisting, directly or indirectly, his Allys against *France* and its Allys.

XXVII. And since their most Christian and Catholick Majestys acknowledg the powerful Offices of the King of

his Successors, or any other Prince of his House, on any pretence or occasion that may happen, or the said Sovereigns, Propriety, Jurisdiction, Resort, Possession and Enjoyment of all the said Countreys, Citys, Places, Castles, Lands and Lordships, Provostships, Domains, Chastellanys and Bayliwicks, together with all Places and other Things which may depend thereon. And for this effect, the said Lord the most Christian King, as well for himself, as his Heirs, Successors and Pretenders, renounces, quits, yields and transfers, as his said Plenipotentiarys in his name by this present Treaty of irrevocable Peace, have renounc'd, quitted, yielded and transfer'd perpetually and for ever, in favour and to the profit of the said Lord the Catholick King, his Heirs, Successors and Pretenders, all the Rights, Actions and Pretensions, Regal Rights, Patronage, Guardianship, Jurisdiction, Nomination, Prerogatives and Preheminences upon the Bishopricks, Cathedral Churches, and all other Benefices, being in the extent of the said Places, Countreys and Bayliwicks; and upon some Abbeyes, the said Priorys are transfer'd with and depend upon, and generally without retaining any thing, or reserving other Rights, that the said Lord the most Christian King, or his Heirs and Successors, have and pretend, or might have and pretend, for what reason or occasion soever, on the said Countreys, Places, Castles, Forts, Lands, Lordships, Domains, Chastellanys and Bayliwicks, and on the Places depending, notwithstanding all Laws, Customs and Constitutions made to the contrary, tho they might have been confirm'd by Oath; from which, and from the derogatory Clauses of Derogatorys, it's expressly derogated by this present Treaty. For the effect of the said Renunciations and Resignations, which will and shall take place without the Expression or particular Specification derogated from the general, or the general from the particular, and excluding for ever all Exceptions, on whatever Rights, Titles, Causes or Pretence they may be grounded, the said Lord the most Christian King declares, consents, wills and means, that the People, Vassals, and Subjects of the said Countreys, Citys and Lands, given over to the Crown of *Spain*, as has been mention'd here above, shall be and remain free and absolv'd from this present time and for ever, of the Faith, Homages, Services and Oath of Fidelity which they might have jointly and each of them made to him, and to his Predecessors the most Christian Kings; as also from all Obedience,

Obedience, Subjection and Vassalages : it being the said Lord the most Christian King's Will, that the said Faith, Homages and Oaths of Fidelity, shall remain null and of no value, as if they had never been made or rendred.

VI. The said Lord the most Christian King shall also restore to the said Lord the Catholick King, all the Citys, Places, Forts, Castles and Posts, which his Armys are or might be in possession of till the day of the Publication of the Peace, in what place of the World they may be situated : As also, his Catholick Majesty shall restore to his most Christian Majesty all Places, Forts, Castles and Posts, which his Armys might have possess'd during this War, till the day of the Publication of the Peace, in what place soever they may be situated.

VII. The Restitution of the said Places, as has been mention'd, shall be made by the said Lord the most Christian King, or his Minister, really and faithfully, without any delay or difficulty, for what cause or occasion it may be, to him or those who shall be appointed by the said Lord the Catholick King, in the time and manner above-mention'd, and in the State the said Places now are in at present, without demolishing, weakning, diminishing or endamaging any thing in any manner, without taking or demanding any Reimbursement for the Fortifications added to the said Places, nor for payment of what may be due to the Soldiers and Military Persons there.

VIII. It has been further agreed, That all Proceedings, Judgments and Arrests, given by the Judges and other Officers of his most Christian Majesty, establish'd in the said Citys and Places which he possess'd by virtue of the Treaty of *Aix la Chapelle*, and here above given over to his Catholick Majesty, or by the Parliament of *Tournay*, by reason of the Differences and Processes carry'd on, as well by the Inhabitants of the said Places and their Dependences, as others, during the time they have been under the Obedience of the said Lord the most Christian King, shall have time to withdraw their full and entire Effects in the same manner as they should do, as if the said Lord the King should continue Lord and Possessor of the said Towns and Countrys : and the said Judgments and Arrests cannot be call'd in question or annull'd, nor the Execution thereof otherways retarded or prevented, but it may be free to the Partys to provide themselves by reviving of the Cause, and according to the Rule and Disposition of the Laws and Ordinances,

*Articles of Peace between the Emperor and
the French King, concluded and sign'd at
Nimeguen, the 3^d day of Febr. 1678.*

IN the Name of the most Holy and Undivided Trinity.
Be it known to all and every one, whom it doth or
may any way concern, That whereas, from the be-
ginning of the War commenc'd some Years ago, between
the most serene and mighty Prince and Lord *LEOPOLD*
Elect Emperor of the *Romans*, always August, King of
Germany, Hungary, Bohemia, Dalmatia, Croatia and Scla-
vonian, Arch Duke of Austria, Duke of Burgundy, Brabant,
Stiria, Carinthia, Carniola, Marquess of Moravia, Duke of
Luxemburg, of the Upper and Lower Silesia, Wirtemberg
and Teck, Prince of Swaben, Earl of Hapsburg, Tirol,
Kyburg and Goritia, Marquess of the sacred Roman Empire,
Burgovia, and of the Upper and Lower Lusatia, Lord of
the March of Sclavonia, of the Port of Naon, and the Salt-
Pits, on the one part; and the most serene and mighty
Prince and Lord LEWIS XIV. the most Christian King
of France and Navarre, on the other part; Their Imperial
and most Christian Majestys have desir'd nothing more
passionately, than the prevention of the Desolation of so
many Countrys, and the further Effusion of Blood, by re-
storing a Peace never to be broken: It hath, by the blessing
of Almighty God, been at length brought to pass, that by
the Endeavours of the most serene and mighty Prince and
Lord Charles II. King of Great Britain, who being receiv'd
as a general Mediator by all the Partys, hath in these diffi-
cult Conjunctions of Christendom, to his immortal Glory,
with indefatigable Care, employ'd his utmost Offices and
Councils, for the publick Tranquillity and general Peace;
their Imperial and most Christian Majestys have agreed, that
the Congress for treating of the Peace should be held at Ni-
meguen in Guelderland, in which place Ambassadors Extraor-
inary and Plenipotentiarys, in due Form authoriz'd having
appear'd on both sides, viz. on the part of the Emperor,
the most reverend, Illustrious and Excellent Lords, John
Bishop

Bishop of Gurgg, Prince of the sacred *Roman* Empire, and Counsellor to his Imperial Majesty ; as likewise *Francis Udalrick*, Count of the sacred *Roman* Empire, of *Khinscky*, *Chemitz* and *Tettan*, Lord of *Klumetz*, Counsellor to his Imperial Majesty, of his Bed-Chamber, Lord Lieutenant, Assistant of the Royal Provincial Court, President for Appeals, and Lord Steward of the Royal Court in the Kingdom of *Bohemia*, and *Theodore Athletus Henry Stratman*, of his Imperial Majesty's Aulick Council; and on the other part, of the most Christian King, the most Illustrious and Excellent Lords *Godfrey Count d' Estrades*, Marshal of *France*, Knight of his Majesty's Orders, Viceroy in *America*, Governor of the City and Fort of *Dunkirk*, and the Places thereupon depending ; *Charles Colbert* Kt. Marquess of *Croissy*, Counsellor in ordinary to the most Christian King, and *John Anthony de Mesmes* Kt. Count d' *Avaux*, one of his most Christian Majesty's Privy Council; after having humbly implor'd the Assistance of Almighty God, and in due form presented and shewn their Commissions, the Copys whereof are word for word inserted in the end of this Treaty, with the Interposition and Pains of the most Illustrious and Excellent Lords, *Lawrence Hyde* Esq; Sir *William Temple* Baronet, and Sir *Leoline Jenkins* Kt. Ambassadors Extraordinary and Plenipotentiarys of his Majesty of *Great Britain*, who from the Year 1675. till this present, have with great Impartiality, Industry and Prudence, perform'd the Office of Mediators, in order to the restoring the publick Tranquillity, to the Glory of God, and Welfare of *Christendom*, they have mutually agreed on the following Conditions of Peace and Friendship.

I. That there be a Christian, Universal, True and Sincere Peace and Friendship, between their Imperial and most Christian Majesty's, their Heirs and Successors, Kingdoms and Provinces ; as also between all and every the Confederates of his said Imperial Majesty, more particularly the Electors, Princes, and States of the Empire, comprehended in this Peace, their Heirs and Successors, on the one part ; and all and every the Confederates of his said most Christian Majesty, comprehended in this Peace, their Heirs and Successors, on the other ; which said Peace and Friendship shall be so sincerely observ'd and improv'd, that each Party shall promote the Honour, Advantage and Interest of the other. And there shall be so perpetual an Oblivion and Amnesty of all Hostilitys committed on each side since the beginning

beginning of the present Troubles, that neither Party shall upon that or any other account or pretence, give, nor cause, or suffer to be given hereafter to the other any trouble, directly or indirectly, under colour of Law, or way of Fact, within or without the Empire, any former Agreements to the contrary notwithstanding; but all and every the Injurys, Violences, Hostilities, Damages and Charges sustain'd on each side by Words, Writing, or Deeds, shall without respect of Persons or things be so entirely abolish'd, that whatsoever may upon that account be pretended against the other, shall be bury'd in perpetual Oblivion.

II. And forasmuch as the Peace concluded the 24th day of *October* 1648. at *Munster* in *Westphalia*, is to be the Foundation and Basis of the present Friendship and publick Tranquillity; the said Peace shall from henceforth be restor'd, in all and every its points, and remain in full force and vigour, as if the same were word for word inserted herein, except in such Points as are derogated from it by this present Treaty.

III. And whereas in virtue of the said Peace of *Munster*, his most Christian Majesty had Right to keep a Garison in the Fortres of *Philipsburg* for its protection, and that the said Fortres hath during this War been taken by the Emperor's Arms, and the Castle and Town of *Friburg* by the Arms of *France*, their Imperial and most Christian Majestys have agreed concerning those Places, in manner following.

IV. His most Christian Majesty, as well for himself as his Heirs and Successors, doth for ever renounce and quit to his Imperial Majesty, his Heirs and Successors, all Right of Protection, maintaining a Garison, and all other things which belong'd unto him, with relation to the Fortres of *Philipsburg*, in virtue of the Treaty of *Munster*, reserving nothing under any pretence or title to himself, his Heirs and Successors, or the Kingdom of *France*, upon the said Fortres, the Forts adjoining to it, and erected as well on this as on the other side of the *Rhine*; any Laws, Constitutions, and Statutes, or other things whatsoever, to the contrary notwithstanding, all and every of which are expressly derogated from by this present Treaty.

V. In like manner, his Imperial Majesty doth as well for himself as his Heirs and Successors, and the whole House of *Austria*, renounce and for ever quit to his most

Christian

Christian Majesty, his Heirs and Successors, the Castle and Town of *Friburg*, together with the three Villages of *Lehn*, *Mexhauzen*, and *Kirchxart* thereunto belonging, with their Districts, as they appertain to the Community of the said Town of *Friburg*, together with all Propriety, Superiority, Right of Patronage, Sovereignty, and other things whatsoever, which belong'd unto him with relation to *Friburg*; reserving to himself, his Heirs and Successors, or the Empire, no Right or Claim thereunto, under any title or pretence whatsoever: any Laws, Constitutions, Statutes, or any thing to the contrary notwithstanding, all and every of which are expressly derogated from by this present Treaty: provided still, that the Privileges and Immunities formerly obtain'd of the House of *Austria* for the said City, remain inviolable, as also the Right of Episcopacy, Revenues, and other Emoluments, be reserv'd to the Bishop and Church of *Constance*.

VI. His most Christian Majesty shall, as often as he has occasion, without any hindrance or molestation, have a free and easy passage from *Brisack* to *Friburg*, thro' the Territory of his Imperial Majesty and the Empire, by the Highway call'd *Landstras*, for the marching of his Soldiers, and the conveying of Provisions, and other things necessary for the Garison of *Friburg*.

VII. Nor shall the Provisions intended, and necessary for the Garison of *Friburg*, in their way and passage from *Brisack* to *Friburg*, be molested or detain'd, thro' payment of any Tolls, Customs, Taxes, Dutys, or Rights, new or ancient. It is further agreed, That the Victuals requisite, as well for the Garison as Inhabitants, which shall be transported from any place of *Brisgow* to *Friburg*, shall, as hitherto, so likewise for the future, pay no Customs: And as for other Merchandize, and things whatsoever, no other nor greater Dutys and Customs shall be laid upon them, than if they were carry'd to other Places under the obedience of his Imperial Majesty, or are otherwise paid by the Subjects of his said Imperial Majesty.

VIII. Commissioners shall within a year after the Ratification of the Peace be nam'd, to determine and consider what Debts lawfully contracted are to be paid by the said Town of *Friburg*.

IX. His most Christian Majesty shall take effectual care, that sincerely and without delay all and every the Writings and Deeds, which at the time of the taking of *Friburg*,

burg, were found in the Town and Castle, in the Chancery of the Government, and Chamber, or in the Houses and Custody of the Counsellors, and other Officers thereof, or elsewhere, be restor'd to his Imperial Majesty: but if the said Writings be publick, and do jointly concern the said Town of *Friburg*, and the three Villages thereunto belonging, the Commissioners above-mention'd shall agree in what place the same shall be kept; so that authentick Copys of them may be obtain'd as often as desir'd.

X. It shall be lawful not only to the Chapter of *Basle*, as also to all and every the Members of the *Austrian* Government, and the University of *Friburg*, but also to the Citizens and Inhabitants of what condition soever, who have a mind to depart, without any hindrance, molestation, or imposition, within a year after the Ratification of the Peace, to transport themselves, together with their Moveables, to whatsoever place they please, and to sell, retain, or administer by themselves or others their Immoveables. All others shall likewise have the same power to retain, administer, or alienate, who have any Goods, Revenues, or Rights, in the said City of *Friburg*, or the three Villages belonging unto it.

XI. Nevertheless, his most Christian Majesty doth consent, that the said Castle and Town of *Friburg*, with the three Villages thereunto belonging, shall be restor'd to his Imperial Majesty, in case they can agree on an Equivalent for it, to the satisfaction of his most Christian Majesty.

XII. Whereas the Duke of *Lorain* is engag'd in the War with his Imperial Majesty, and desires to be included in this present Treaty; the said Duke shall for himself, his Heirs and Successors, be restor'd to the free and full possession of all those States, Places, and Goods, which Duke *Charles* his Uncle possess'd in the year 1670. when the same were taken by the Forces of the most Christian King; excepting only such Alterations as are made and specify'd in the following Articles.

XIII. The Town of *Nancy*, with its District (commonly call'd *Finage*) shall remain for ever united and incorporated to the Crown of *France*; so that his most Christian Majesty, his Heirs and Successors, shall possess the same with all Right of Superiority, Sovereignty and Propriety: And to that end, the said Duke of *Lorain* doth as well for himself as his Heirs and Successors, for ever renounce, quit and transfer unto the said most Christian King, his Heirs and

and Successors, without any Retention or Reservation, all Right of Propriety or Sovereignty, all Prerogatives and Preeminences, which did, or of Right ought to belong to the said Duke, with reference to the abovesaid City of *Nancy*; any Laws, Customs, Statutes, Constitutions or Agreements, made to the contrary notwithstanding; all which, as also the annulling Clauses of Derogation, are derogated from by this present Treaty.

XIV. And to the end there may be a more Free Communication between the said Town of *Nancy* and the Dominions belonging to the Crown of *France*, and a more easy passage for the *French* Soldiers, Ways half a League broad shall be mark'd out by Commissioners to be appointed for that purpose by the most Christian King, and the said Duke of *Lorain*; the first of which Ways shall be, from *St. Didier* to *Nancy*: the second, from *Nancy* to *Alsatia*; the third, from the said City of *Nancy* to *Besancon*, in the County of *Burgundy*; and the fourth, from *Nancy* to *Metz*: yet so that the marking out of the said Ways, be done in the same manner, as was observ'd in the Ways formerly consented to by Duke *Charles*, in the Year 1661.

XV. All Places, Villages, Houses and Lands, together with their Dependences, situate and lying within the said Ways of half a League broad, shall belong to his most Christian Majesty, together with all Rights, as well of Superiority and Sovereignty as Propriety, which the said Duke or his Ancestors had and enjoy'd before this Treaty; yet so, that if the Districts or Dependences of the said Places extend beyond the said half League, whatsoever lies beyond that space of Ground, and the Boundaries settled by the Commissioners, shall with all Superiority, Sovereignty and Propriety, remain as formerly, to the said Duke, his Heirs and Successors.

XVI. The City and Provostship of *Longwic*, with its Appurtenances and Dependences, shall for ever, with all Superiority, Sovereignty and Propriety, remain to the said most Christian King, his Heirs and Successors; and the said Duke, his Heirs and Successors, shall lay no claim thereto for the future: But in exchange for the said City and Provostship, his most Christian Majesty shall give to the said Duke another Provostship, in one of the three Bishopricks, of the same greatness and value, according as shall be agreed upon by the abovesaid Commissioners; which being so granted and convey'd by the most Christian King to the
said

said Duke, as well the said Duke as his Heirs and Successors, shall for ever enjoy it, with all Rights of Superiority, Sovereignty and Propriety.

XVII. In like manner his most Christian Majesty, for and in compensation of the said Town of *Nancy*, doth for himself and the Crown of *France*, quit and convey to the aforesaid Duke, his Heirs and Successors, the Superiority, Sovereignty and Propriety of the City of *Toul*, and the Suburbs thereof, with all Rights thereto belonging, especially the Prerogatives and Preeminences of Patronage, which did or of right ought to have belong'd to the Crown of *France*, in and over the said City of *Toul*, its Suburbs and District (commonly call'd *Finage*) so as the said Duke, his Heirs and Successors may, without any Retention or Reservation, fully enjoy and exercise the same; any Laws, Customs, Statutes, Constitutions or Agreements made to the contrary notwithstanding; from all which, as also the annulling Clauses of Derogation, the most Christian King hath expressly derogated by this present Treaty.

XVIII. And in case the District of the City of *Toul* shall be found to be of less bigness and value than the District of the City of *Nancy*, the same shall be otherwise compensated to the Duke, so that the Districts of both Cities shall be of an equal greatness and value.

XIX. The most Christian King shall, as by this present Treaty he doth, for ever renounce for himself, his Heirs and Successors, the Right of nominating or presenting the Bishop of *Toul* to the hands of the Pope, procur'd by him of Pope *Clement IX.* so that the said Duke may make his recourse to the Apostolick See to obtain the same.

XX. It is further covenanted and agreed, That it shall in no wise be lawful for the said Duke to make any Alteration or Change, in the Benefices bestow'd by his most Christian Majesty, till the day of this present Treaty: and those who are inducted into the said Benefices, shall continue in quiet possession of them, so that the said Duke shall in no wise trouble or molest, nor dispossess them of the same.

XXI. It is further agreed, That all Proceedings at Law, Sentences and Decrees, made and given by the Council, Judges, or other Officers of his most Christian Majesty, in Suits and Actions that are finish'd, as well between the Subjects of the said Dutchy of *Lorain* and *Bar* as others, during the time the said States were under the Dominion of the
most

most Christian King, shall take Place, and have their full and entire effect, in as ample manner as if the most Christian King had still continu'd Lord and Possessor of those Countrys; nor shall it be lawful to question, annul, delay or hinder the Execution of the said Sentences and Decrees: But the Partys concern'd may, according to what is prescrib'd and appointed by the Laws, desire a Revision of the Proceedings that have been thereupon had, yet so that the Sentences shall remain in full force and vigour.

XXII. The Charters, Deeds and Writings, which were in the Exchequers of *Nancy* and *Bar*, and in the two Chambers of Accompts, or elsewhere, and have been since remov'd from thence, shall be forthwith restor'd to the Duke.

XXIII. His Imperial Majesty doth agree, That Prince *Francis Egon*, Bishop of *Strasburg*, and his Brother Prince *William Egon* of *Furstemburg*, together with their Nephew prince *Anthony Egon* of *Furstemburg*, and their Officers and Ministers, shall be fully restor'd to the State, Reputation, Dignitys, Rights, Suffrages, Session, Benefices and Offices, Goods holden in Fee-simple, Fee-bafe, and in *Capite*, together with the Profits that have been sequestred, and generally to all other Goods, which they did or of right ought to have enjoy'd before their Deprivation, upon occasion of this War, any Proceedings, Transactions or Decrees whatsoever to the contrary notwithstanding. The said Prince *William Egon* shall immediately after the Ratification of the Peace, be restor'd to his full liberty. And whatsoever hath been said, written or done by the Chapter of *Strasburg*, and others who administred the Goods and Benefices belonging to the said Bishop and Prince, shall be bury'd in perpetual Oblivion; nor shall they upon that account be impeach'd, or under any other pretence whatsoever molested.

XXIV. All the Vassals and Subjects, Ecclesiastical and Secular, of both Partys, shall be restor'd to the Honours, Dignitys and Benefices, which they enjoy'd before the breaking out of the War; as also to all Goods movable and immoveable, Revenues casual and subject to Redemption, seiz'd and confiscated upon occasion of the War, together with all Rights, Actions and Inheritances fallen to them even during the same; yet so that nothing shall be demanded for the Profits and Rents receiv'd for the said Goods, Moveables, Revenues and Benefices, from the time of the Confiscation and Seizure, till the day of the Ratification of

the Peace; and in like manner, the Debts, Effects, Merchandize and Moveables, confiscated before the said day: so that neither the Creditors of private Debtors, nor those in whose hands such Effects and Merchandize have been deposited, nor their Heirs or Assigns, may prosecute or pretend to any Restitution or Satisfaction for the same. Which Restitutions shall be extended to those also who have been of the contrary Party; and consequently, they shall in virtue of this Treaty be restor'd to the favour of their Prince, as also to their Goods, in such condition as they shall be found to be at the Conclusion and Signing of this Treaty. All which things shall be effectually executed, any Donations, Confiscations, Orders Interlocutory, and Definitive Sentences given and made, without hearing and in the absence of the Partys thro' contumacy; which Sentences and Judgments shall be made null, and deem'd to be of no more force, than if they had never been judg'd and pronounc'd; full and entire liberty remaining to the said Partys, to return into the Country from whence they departed, and enjoy the Goods, Movables, Estates and Revenues, or inhabit in what place soever they shall please and make choice, without any Violence or Compulsion; and in case they have a mind to transport themselves to some other place, they may by Attorneys not suspected, administer and enjoy their Goods and Revenues, such Benefices only excepted as require residence, which they ought personally to perform and execute.

XXV. The Agreement this day made between his Imperial Majesty, and the Empire, and the King and Kingdom of *Sweden*, as well with relation to himself, as to the Duke of *Holstein-Gottorp*, shall be esteem'd to be comprehended in this Treaty, in such manner that as well this, as the aforementioned Treaty, between the Emperor and *Sweden*, shall be judg'd and look'd upon as one and the same, and held to be of the same force and virtue, as if it were word for word inserted in this Treaty.

XXVI. And because it is highly necessary, in order to the Preservation of the publick Peace, That the War which yet continues between his most Christian Majesty and the King and Kingdom of *Sweden*, on the one part; and the King of *Denmark*, the Elector of *Brandenburg*, the Bishop of *Munster*, and the Princes of *Lunenbourg*, namely the Bishop of *Osnaburg*, and the Dukes of *Zell* and *Wolfembutte*, be with all speed compos'd; as well his Imperial as his most

Christian

Christian Majesty, shall employ their utmost Offices towards the said Princes, and the King of *Sweden*, That a Peace between the aforesaid Partys be speedily made; and to that end, a Cessation of Arms in order to it, be forthwith agreed to by them. But if contrary to all Expectation, the said Offices should want their desir'd effect, his Imperial Majesty, and the Electors, Princes and States of the Empire, included in this Peace, do promise, that after the Term for the Cessation of Hostilitys is expir'd, they will in no wise, under any pretence whatsoever, directly or indirectly, assist the aforesaid Enemys of *France* and *Sweden*, or in any wise hinder them in carrying on of the War, nor suffer the Forces of the aforesaid Enemys of *France* and *Sweden* to take any Winter-Quarters without their Territories in the Empire: And for the aforesaid end only, it shall be free for his most Christian Majesty to keep a Garrison in the following Places in the Empire, yet without endamaging the Owners of the said Places and their Subjects, and at the Charges of the most Christian King, viz. in the Towns and Citys of *Chasselet*, *Huy*, *Verviers*, *Aix la Chapelle*, *Dueren*, *Linnick*, *Nuys* and *Zons*; in which Places no new Fortifications shall be made, further than shall be necessary for the safety of the Garisons, and without giving just cause of Suspicion: Nor shall it be lawful for the most Christian King to retain those places on account of the Charges made therein, nor under any other pretence whatsoever, but shall evacuate and restore the same to those from whom he took them, so soon as a Peace shall be concluded and ratify'd between the aforesaid Partys, as to the Provinces situate in the Empire, or that more fit means shall by common Consent be found out to restore it. In like manner, his most Christian Majesty doth promise, that he will in no wise, nor under any pretence whatsoever, directly or indirectly, assist the present Enemys of the Emperor and Empire: It shall be likewise free for the Emperor and Empire, to employ their Offices, Counsels and Endeavours, jointly with the most Christian King, for the speedy composing the War by common consent.

XXVII. Pursuant to the Peace of *Munster*, confirm'd by the second Article in all its Points and Clauses, Places shall be restor'd, and such as are to be restor'd shall be *bonâ fide* evacuated. To which end, Commissioners shall be nam'd at the same time this Treaty is ratify'd on both sides, that the aforesaid Evacuation and Restitution be without further

delay made, within one month after the Ratification of the Peace, those Places only excepted which are otherwise for a time to be dispos'd of by the preceding Article.

XXVIII. Whereas there hath been an antient difference concerning the Castle and Dutchy of *Bovillon*, between the Bishop and Prince of *Liege*, and the Dukes of that name, it is hereby agreed, That the Duke of *Bovillon* continuing in the possession he hath of it, the said Difference shall amicably, or by Arbiters to be nam'd by the Partys within three months after the Ratification of the Peace, be compos'd, without proceeding to Acts of force.

XXIX. Immediately after the signing and subscribing of this Treaty of Peace, by the Extraordinary Ambassadors and Plenipotentiarys, all Acts of Hostility shall cease. And in case within fourteen days after the signing of the Treaty, any thing shall be attempted or alter'd, it shall be forthwith repair'd and restor'd to its first condition.

XXX. Contributions shall continue to be demanded and levy'd, by the one and the other Party, in those Provinces, Countrys and Places, where before the signing of this Treaty they were settled, till the Ratification of the same; and what shall then remain in Arrear, shall within four months after the said Ratification be paid. Yet so that the payment of the same shall not, after the Ratifications are exchang'd, be forcibly requir'd of those Places which will give sufficient security to pay the Proportion assel'd upon them.

XXXI. Altho in the second Article of this Treaty it hath been sufficiently declar'd, that the Peace of *Munster* shall in all and every its Points be confirm'd; yet it hath been thought fit, particularly that all things stipulated in the said Peace of *Munster*, with relation to the business of *Montferrat*, remain hereafter in full force and virtue: amongst which those things shall more particularly continue firm and valid, which are stipulated therein in behalf of the Duke of *Savoy*.

XXXII. Their Imperial and most Christian Majestys, retaining a grateful sence of the Offices and continual Endeavours the most Serene King of *Great Britain* hath us'd to restore a general Peace, and the publick Tranquillity, it is mutually agreed between the Partys, that he with his Kingdoms be included in this Treaty, after the best and most effectual manner that may be.

XXXIII. In this Peace those also shall be comprehended, who shall be nam'd by either Party, with common consent, before

before the exchange of the Ratifications, or within 6 months after.

XXXIV. The Emperor and the most Christian King do agree, That all Kings, Princes and States, shall and may give their Guarantys to their Imperial and most Christian Majestys, for the execution and performance of all and every the Points contain'd in this present Treaty.

XXXV. The Peace being thus concluded, the Ambassadors Extraordinary and Plenipotentiarys of both Partys, do promise, that the same shall be ratify'd, in the manner mutually agreed on by the Emperor and Empire and the most Christian King respectively; and take effectual care, that authentick Ratifications be within the space of 8 weeks to be computed from the day of the signing thereof, or sooner if possible, reciprocally and in due form exchanging here.

XXXVI. And whereas his Imperial Majesty hath been humbly desir'd by the Electors, Princes and States of the Empire, by virtue of a Resolution dated *May 31, 1677.* under the Seal of the Chancery of *Mentz*, and deliver'd to the *French* Ambassadors, to take care by his Imperial Ambassadors in this Congress of the Interests of the said Electors, Princes and States of the Empire; as well the Imperial as the *French* Ambassadors, have in testimony, and for the greater validity of all, and every thing and things contain'd in this Treaty of Peace, sign'd and seal'd the same with their Names and Seals, and promis'd interchangeably to deliver sufficient Ratifications thereof, within the space above-mention'd, and the form therein agreed on; nor shall any Protestation or Contradiction from the Directory of the Empire, against the Subscription of this Treaty, be receiv'd or esteem'd valid. Done at *Nimeguen*, the 5th day of *February*, *Anno Dom. 1679.*

(L. S.) John Bishop and Prince of Gurgh.	(L. S.) The Marshal d'Eftrades, Colbert.
(L. S.) Francis Odalrick Count Khinsky.	
(L. S.) T. A. Hen. Strat- man.	

A Treaty of Peace, good Correspondence and Neutrality, in America, between the most serene and mighty Prince James II. by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, and the most serene and mighty Prince Lewis XIV. the most Christian King: Concluded on the 16th day of November, 1686. N. S.

THE most high and most potent Prince *Lewis XIV.* the most Christian King of *France and Navarre*, and the most high and most potent Prince *James II.* King of *Great Britain*; having nothing more at Heart than daily more and more to confirm a mutual Friendship between them, and a sincere Agreement and Correspondence between the Kingdoms, States and Subjects of their respective Majestys; and to this end, having judg'd it convenient to make a Treaty of Peace, good Correspondence and Neutrality in *America*, in order as much as possible to prevent all Conteſts and Differences which may arise between the Subjects of both the Crowns in those remote Countrys: Their said Majestys have resolv'd on both sides to send their Plenipotentiarys to treat of and conclude the same, viz. his most Christian Majesty hath appointed Monsieur *Paul Barillon d' Amoncourt*, Marquess *de Branges*, Counsellor in ordinary in his Council of State, and his Ambassador Extraordinary; and his said Britannick Majesty *George* Lord *Jefferys*, Baron of *Wem*, Lord High Chancellor of *England*, *Lawrence* Earl of *Rochester*, Lord High Treasurer of *England*, *Robert* Earl of *Sunderland*, President of the Council and Secretary of State, *Charles* Earl of *Middleton*, also Secretary of State, and *Sidney* Lord *Godolphin*, all of them of his Majesty's most honourable Privy Council, to agree, after the exchange of their full Powers, upon these following Articles,

I, It's

I. It's concluded and agreed, That from this day forward there be a firm Peace, Union, Amity and good Correspondence, as well by Land as by Sea, between the *British* and *French* Nations in *America*, as well Northern as Southern, and within the Islands, Colonys, Forts, Citys and Governments (without exception of Places) belonging to the most serene King of *Great Britain*, or to the most serene Christian King, and which are under the Jurisdiction of either of them respectively.

II. That no Ships or Vessels, great or small, belonging to the most serene King of *Great Britain*'s Subjects in the said *English* Islands, Colonys, Forts, Citys, and Governments, shall be fitted out or imploy'd to invade or attack the most Serene and most Christian King's Subjects, in their Islands, Colonys, Forts, Citys and Governments, or to do them any Injury or damage: In like manner, that no Ships or Vessels, great or small, belonging to the most Serene and most Christian King's Subjects, in the said *French* Islands, Colonys, Forts, Citys and Governments, shall be fitted out or imploy'd to invade or attack the most Serene King of *Great Britain*'s Subjects, in their Islands, Colonys, Forts, Citys and Governments, or do them any injury or damage.

III. That no Soldiers, arm'd Men, or any others whatsoever, inhabiting and living in the said *English* Islands, Colonys, Forts, Citys and Governments, or who come out of *Europe* to be in Garison there, shall commit any act of Hostility, or do any Injury or Damage, directly or indirectly, to the most Serene and most Christian King's Subjects, in the said *French* Islands, Colonys, Forts, Citys and Governments; neither shall they give any Assistance or Supplies of Men or Viſtuals, to the barbarous or wild *Indians*, with whom the most Christian King shall have a War.

In like manner, no Soldiers, arm'd Men or any other whatsoever, inhabiting and living in the said *French* Islands, Colonys, Forts, Citys and Governments, or who come out of *Europe* to be in Garison there, shall commit any act of Hostility, or do any Injury or Damage, directly or indirectly, to the most Serene King of *Great Britain*'s Subjects, in the said *English* Islands, Colonys, Forts, Citys and Governments; neither shall they give any Assistance or Supplies of Men or Viſtuals to the barbarous wild *Indians*, with whom the King of *Great Britain* shall have War.

IV. It's agreed, That both Kings shall have and retain to themselves all the Dominions, Rights and Preeminences, in the *American* Seas, Roads and other Waters whatsoever, in as full and ample manner as of Right belongs to them, and in such manner as they now possess the same.

V. And therefore the Subjects, Inhabitants, Merchants, Commanders of Ships, Masters and Mariners of the Kingdoms, Provinces and Dominions of each King respectively, shall abstain and forbear to trade and fish in all the Places possess'd, or which shall be possess'd by one or the other Party in *America*, viz. the King of *Great Britain*'s Subjects shall not drive their Commerce and Trade, nor fish in the Havens, Bays, Creeks, Roads, Shoals or Places which the most Christian King holds, or shall hereafter hold in *America*: And in like manner, the most Christian King's Subjects shall not drive their Commerce and Trade, nor fish in the Havens, Bays, Creeks, Roads, Shoals, or Places, which the King of *Great Britain* possesses, or shall hereafter possess in *America*. And if any Ship or Vessel shall be found trading or fishing contrary to the Tenor of this Treaty, the said Ship or Vessel, with its Lading, Proof being made thereof, shall be confiscated; nevertheless, the Party who shall find himself aggriev'd by such Sentence or Confiscation, shall have liberty to apply himself to the Privy Council of that King, by whose Governors or Judges the Sentence has been given against him: But 'tis always to be understood, that the Liberty of Navigation ought in no manner to be disturb'd, where nothing is committed against the genuine Sense of this Treaty.

VI. It's also agreed, that in case the Subjects and Inhabitants of either of the Kings, with their Shipping (whether publick and of War, or private and of Merchants) be forc'd thro' stress of Weather, pursuit of Pirates and Enemys, or any other urgent Necessity, for seeking of Shelter and Harbour to retreat and enter into any of the Rivers, Creeks, Bays, Havens, Roads, Ports and Shores, belonging to the other in *America*, they shall be receiv'd and treated there with all Humanity and Kindness, and enjoy all Friendly Protection and Help: and it shall be lawful for them to refresh and provide themselves at reasonable and the usual Rates, with Victuals and all things needful for the Sustainance of their Persons, or Reparation of their Ships, and Conveniency of their Voyage: And they shall no manner of way be detain'd or hinder'd from returning out of the said

said Ports or Roads, but shall remove and depart when and whither they please, without any let or hindrance; provided always, that they do not break bulk, nor carry out of their Ships any Goods exposing them to Sale; nor receive any Merchandize on board or imploy themselves in fishing, under the Penalty of the Confiscation of Ships and Goods as in the foregoing Article is express'd. And it's further agreed, That whensoever the Subjects of either King shall be forc'd to enter with their Ships into the others Ports as is above-mention'd, they shall be oblig'd at their coming in, to hang out their Flag for the Colours of their Nation, and give notice of their coming by thrice firing a Cannon; and if they have no Cannon, by firing a Musket thrice: which if they shall omit to do, and yet send their Boat on Shoar, they shall be liable to Confiscation.

VII. If any Ships belonging to either of the Kings, their People and Subjects, shall within the Coasts or Dominions of the other stick upon the Sands, or be wreck'd (which God forbid) or suffer any damage; all friendly Assistance and Relief shall be given to the Persons shipwreck'd, or such as shall be in danger thereof; and Letters of safe Conduct shall likewise be given to them, for their free and quiet passage from thence, and the return of every one to his own Country.

VIII. when it shall happen, that the Ships of either Party (as abovemention'd) thro' danger of the Sea, or other urgent Cause, be driven into the Ports of the other; If they be three or four together, and may give just ground of Suspicion, they shall immediately upon their arrival acquaint the Governor or chief Magistrate of the Place, with the cause of their coming; and shall stay no longer than the said Governor or chief Magistrate will allow, and shall be requisite for supplying themselves with provision, and repairing their Ships.

IX. It's also agreed, that the King of *Great Britain's* Subjects, inhabiting the Island of *St. Christophers*, may fetch Salt from the Salt-ponds there, and carry the same away, as well by Sea as by Land, without any Hindrance or Molestation: And also, that the most Christian King's Subjects of the said Island, may enter into the Rivers of the great Road, there to fetch or provide themselves with Water, upon condition nevertheless, that the King of *Great Britain's* Subjects shall only in the day-time lade Salt upon their Ships or Vessels; and in like manner, that the most Christian King's

King's Subjects shall fetch Water in the day-time only : And also that the Ships or Vessels of either Nation, which shall come for Salt or Water, shall be oblig'd to give notice of their coming by hanging out their Flag or Colours of their Nation, and by thrice firing a Cannon ; and if they have no Cannon, by thrice firing a Musket. And in case any Ship of either Nation, shall trade or traffick, under pretence of fetching Salt or Water, the said Ship shall be forfeited.

X. The Subjects of either Nation shall not harbour the barbarous or wild Inhabitants, or the Slaves or Goods which the said Inhabitants have taken from the Subjects of the other Nation ; neither shall they give them any Assistance or Protection in their said Depredations.

XI. The Governors, Officers and Subjects of either King, shall not in any wise molest or disturb the Subjects of the other, in settling their respective Colonys, and in their Commerce and Navigation.

XII. And the more to assure the Subjects of the King of *Great Britain* and of the most Christian King, that no injury shall be offer'd them by the men of War or Privateers on either side, all the Captains of the Ships of War of his Majesty of *Great Britain*, as also of the most Christian King, and all their Subjects who shall fit out Privateers, and likewise their privileg'd Companys, shall be injoin'd not to do any injury or damage whatsoever to the other: which if they do, they shall be punish'd, and be moreover liable to satisfy all Costs and Damages by way of Restitution and Reparation, upon pain and obligation of Person and Goods.

XIII. For this cause all Commanders of Privateers shall henceforth be oblig'd, before they receive their Commissions, to give before a proper Judge, good and sufficient Security, by able and responsible Men, who have no share nor interest in such Ships, for the Sum of One Thousand Pounds Sterling, or Thirteen Thousand Livres ; and when they have above One Hundred and Fifty Men, then in the Sum of Two Thousand Pounds Sterling, or Six and Twenty Thousand Livres, that they will give full Satisfaction for any Damages or Injurys whatsoever, which they or their Officers, or others in their Service, shall commit in their Courses at Sea, contrary to this present Treaty, or any other whatsoever between his Majesty of *Great Britain* and the said most Christian King and upon pain of forfeit-

ing and annulling their said Commissions; in which it shall always be inserted, that they have given such Security as abovesaid. And likewise tis agreed, that the Ship it self shall be also liable to make Satisfaction for Injurers and Damages done by her.

XIV. And whereas several Pirates roving up and down in the *American* Seas, as well Northern as Southern, do much damage to Trade, and molest the Subjects of both Crowns in their Navigation and Commerce in those Parts, it's agreed, That strict Orders shall be given to the Governors and Officers of both Kings, that they give no Assistance nor Protection to any Pirates, of whatsoever Nation they be, nor suffer them to have any Retreat into the Ports or Roads of their respective Governments: And the said Governors and Officers shall also be expressly commanded to punish as Pirates, all such who shall fit out any Ship or Ships, without lawful Commission and Authority.

XV. No Subjects of either King shall ask or take any Commission, or Letters of Mart, for arming any Ship or Ships to go a Privateering in *America*, whether Northern or Southern, from any Prince or State with which the other is in War; and if any Person shall take such Commission or Letters of Mart, he shall be punish'd as a Pirate.

XVI. The most Christian King's Subjects shall have liberty to fish for Turtles in the Islands of *Cayman*.

XVII. That in case it should happen any Differences or Disputes should arise between the Subjects of the said most Serene Kings, in the said Islands, Colonys, Ports, Cities and Governments, under the Dominion of either respectively, whether at Sea or Land; this Peace and good Correspondence shall not thereby be interrupted or infring'd; but the said Differences which may happen between the Subjects of both Kings, shall be adjudg'd and determin'd by the Governors of each Jurisdiction respectively, where they shall have arisen, or by them whom they shall depute: and if the said Differences cannot within the space of one Year be determin'd by the said Governors, they shall transmit the same with the first opportunity, to the most Serene Kings, to determine the same according to Justice, in such a manner as they shall think fit.

XVIII. It's further concluded and agreed, That if any Breach should happen (which God forbid) between the said Crowns in *Europe*, no act of Hostility, either by Sea or Land, shall however be done by any of the most Serene King

King of *Great Britain's* Garisons, Soldiers, or Subjects whatsoever, of the Islands, Colonys, Forts, Citys and Governments which now are or shall hereafter be under the *English* Dominion in *America*, against the most Serene and most Christian King's Subjects inhabiting or residing in any of the *American* Colonys. In like manner, and reciprocally, in case aforesaid of a Breach in *Europe*, no act of Hostility, either by Sea or Land, shall however be committed by any of the most Serene and most Christian King's Garisons, Soldiers or Subjects whomsoever, of the Islands, Colonys, Forts, Citys and Governments, which now are or hereafter shall be under the *French* Dominion in *America*, against the most Serene King of *Great Britain's* Subjects inhabiting in any of the *American* Colonys, or residing there: But a true and firm Peace and Neutrality shall continue in *America*, between the said *British* and *French* Nations, in the same manner as if such Breach in *Europe* had not happen'd.

XIX. It's provided and agreed, That this present Treaty shall not in any wise derogate from the Treaty concluded between the said most Serene King at *Breda*, the 31st of *July*, N. S. in the Year of our Lord 1667. but that all and singular the Articles and Clauses of that Treaty shall remain in force and be observ'd.

XX. That all Treatys or Articles heretofore made and concluded, between the said Nations upon the Island of *St. Christophers*, or elsewhere in *America*, shall be in force as formerly, and be observ'd on both sides as heretofore, unless where they shall be found contrary to this present Treaty.

XXI. Lastly, It's agreed and concluded, That this present Treaty, and all and singular the Matters therein contain'd shall as soon as may be, be ratify'd and confirm'd; and that the Ratifications thereof shall within the space of two Months from the date of these Presents, be reciprocally exchange'd between both Partys, and within the space of eight Months, or sooner if it may be, be publish'd in all the Kingdoms, Dominions and Colonys, as well in *America* as elsewhere, of both Kingdoms.

In witness whereof, we the Plenipotentiarys have sign'd and seal'd this present Treaty. Given in his Majesty's Palace of *Whitehall*, the 16th of *Nov.* 1686. N. S.

Jeffreys C. (L. S.)

Rocheſter (L. S.)

Sunderland P. (L. S.) *Barillon d'Amencourt* (L. S.)

Middleton (L. S.)

Godolphin (L. S.)

The

The Resolution of the States General of the United Provinces, containing the Reasons whereby they were engag'd to assist William Prince of Orange, with Shipping and Soldiers, in his Expedition to England in Person, Octob. 28. 1688.

IT has been thought proper and convenient, after a serious Deliberation, to notify to all the Ministers of this State that are in foreign Courts, the Reasons which have induc'd their High Mightinesses to assist his Highness the Prince of *Orange* with Shipping and Troops, to pursue his Design to go over into *England*, with Orders and Command, that they should make use of the said Reasons in the Courts where they reside, as they shall see good: And that in consequence thereof, they have wrote to the said Ministers, that 'tis notoriously known to all the World, that the *English* Nation hath for a long time complain'd, that the King being undoubtedly set on by the evil Counsels and Persuasions of his Ministers, hath encroach'd upon their fundamental Laws, and endeavour'd by the Infraction of them, and the Introduction of the *Roman* Catholick Religion, to suppress their Libertys, to ruin the *Protestant* Religion, and bring all things under an arbitrary Government: That if this ill Conduct shall proceed much farther, and the dangers of the Misfortunes that are apprehended from it, be augmented, this will occasion such a Distrust of and Averſion to the King, that a general Confusion and Disorder may be apprehended throughout the Kingdom. Wherefore upon the frequent Representations, reiterated Prayers, and pressing Addresses made to his Highness, by divers Lords, and other Persons of great Note in that Kingdom; and out of regard to the Interest which her Royal Highness and the Prince have in the Prosperity of the same Kingdom; and that they cannot, upon account of those Differences

and

and Disunions, stand still and run the risque of being excluded from the Crown; the said Prince of *Orange*, being oblig'd to the support of the same, he resolv'd and with good reason to go and succour the Nation, in consideration and upon the account of that Government which is so burdensom to it, and to give it all possible Assistance; and so much the more, in that his Highness is perswaded, that the Prosperity of this State, wherewith he is intrusted, is greatly interest'd that the said Kingdom should continue peaceable; and that the Mistrust and Jealousys between the King and the Nation should be remov'd: That his Highness being sensible, that in order to succeed in so important and laudable a Design, and that he may meet with no Obstruction from ill-minded people, it was necessary he should pass over into that Kingdom, attended with some Forces, he made known his Intentions to their High Mightinesses, and desir'd Assistance of them; that their High Mightinesses, after having maturely deliberated thereupon, and consider'd that the Kings of *France* and of *Great Britain* had a good Understanding of, and Friendship for one another, as their High Mightinesses had been very often assur'd; and that there was a very strict and secret Alliance between them; that also their High Mightinesses were inform'd and advertis'd, that their Majestys endeavour'd in concert, to deprive this State of her Allys; and that even the King of *France* had, upon several Occasions, shew'd the little Esteem he had for them; and that therefore it was to be fear'd, if the King of *Great Britain* should once carry his point, and attain to an absolute power over his People, that the two Kings being united in Interest of State, and in hatred to the *Protestant* Religion, should endeavour to overturn this State, and if possible to destroy it; they have resolv'd to let his Highness pursue his Design, and to grant him some Ships and Troops, in the nature of Auxiliaries, to assist him therein: And in pursuance thereof, his Highness hath declar'd to their High Mightinesses, that he is resolv'd, with the Grace and Favour of God, to go over into *England*, not with the least view or design to invade the Kingdom, to lay it waste, or dethrone the King, much less to render himself Master of it, to do prejudice to the lawful Successor, or to expel and persecute the *Roman* Catholicks; but solely and wholly to succour the Nation, to re-establish the Laws and Privileges which have been invaded, and also to preserve their Religion and Libertys; and to this end,

to

1688. *for assisting the Prince of Orange.* 255

to endeavour to bring things so to pass, that a free and lawful Parliament may be call'd, according to Custom, of such Persons as are qualify'd by the Laws and Constitution of the Government; that there they may debate and resolve upon what they shall judge necessary, for the Security of the Nobility, Clergy, Gentry and People; and to the end that their Rights, Laws and Privileges may be no more violated and invaded: That their High Mightinesses hope and are confident, that under the Divine Benediction, Tranquillity and Union shall be restor'd in that Kingdom and so be thereby put into a condition efficaciously to concur in what shall be for the common Good of *Christendom*, and the Re-establishment and Maintenance of the Peace and Tranquillity of *Europe*. And an Extraet shall be made of this Resolution of their High Mightinesses, to be put by the Agent *Rosenboom* into the hands of the foreign Ministers residing here, for their Instruction; and that they may make use of them as they please.

J. V. Haerfolte.

And Lower,

H. Fagel.

A De-

A Declaration of War against France, and a Placart of the States General of the United Provinces, concerning the Commerce of the Inhabitants of the said Provinces: As also of Neutral Powers in the Ports of France, and contraband Goods, Securitys of Ships and Merchandizes, appertaining to the Subjects of France. Given at the Hague, March 9th, 1689.

THE States General of the *United Provinces* of the *Low-Countrys*, to all those who shall see or hear these Presents read, Greeting; Be it known unto them, That being in the Year 1672. in a profound Peace and perfect Tranquillity, and relying upon the Treatys of Peace, Friendship and Alliance, which were in Force between *France* and this State, we found ourselves destitute of every thing that might serve for our defence, and withstand so potent a King, in case he should make a War upon us; and so much the more, in that it could not enter into our Thoughts, that the King of *France* should violate the said Treatys, contrary to all Justice and Equity; we have nevertheless, beyond all Expectation, been suddenly attack'd by the King of *France* by force of Arms; so that his numerous Armys must have reduc'd this State to the Brink of Destruction, and have easily brought the same under his Subjection, had it not been that casting our Eyes upon the Reasons the King of *France* gave for his beginning the said War, which he said was only for the Increase of his Honour and Glory, we were persuaded, that Almighty God would not suffer us to be ruin'd upon such unjust Motives; that being thereupon in this desperate state of our Affairs, stir'd up to resume our Courage, under the great and wise Conduct of his Highness the Prince of *Orange*,
and

and to expose our selves to all Extremitys, in order to defend the true Reformed Religion, our Liberty and dear Country, against such unjust Violences, we have by the Blessing of God upon our State, after the Effusion of much innocent Blood, and our People having suffered unheard-of Crueltys and Barbaritys from the *French*, at length entirely re-establish'd our Affairs and brought the said War to an end by a Treaty of Peace, Commerce, Navigation and Marine, concluded with *France* at *Nimeguen*, in the Year 1678. That we on our part have faithfully and religiously, as we ought to do, executed the said Treatys; insomuch, that we presently took off all and singular the Impositions upon the Merchandizes, Manufactures and other Commoditys of the Growth of *France*, as also other Customs which the King of *France* could pretend to have been laid by us, by way of Retribution, upon account of the exorbitant Dutys which the King of *France* himself was first pleas'd to put upon the Navigation and Commerce of this State, in order to ruin and entirely destroy them: That we have dissembled many Injuriys which have been done us; and that to the end we might avoid all occasions of falling under the King of *France*'s Displeasure, we have so comported our selves in all our Actions, that we have not given the King of *France* any just Cause of Offence: Whereas on the contrary, the King of *France* on his part hath indeed, by a publick Ediſt, recall'd and annull'd the exorbitant Impositions laid by him on the Commerce and Navigation of this State, and caus'd the same in some Points and Places to be put in Execution, but in other Places has left the same undone: That moreover the king of *France* hath endeavour'd from time to time, all manner of ways to disturb our Navigation and Commerce, as well within as without *Europe*, favour'd the Seizure of our Ships and Cargoes, and directly bent his Thoughts entirely to ruin our said Navigation and Commerce: Nay, he was so far from letting our Men of War go unmolested, that he violently forc'd them to submit to be search'd; and which is more, made them be attack'd, and hostilely pursu'd in the time of a profound Peace. In like manner, the King of *France* hath at last hinder'd the Subjects of this State, by way of new Tolls and Impositions, to sell their Manufactures, and fish in his Country; and hath rais'd so many unjust and unheard-of Obstacles in their way, under some frivolous pretence or other, that it would be impossible for them to continue their Trade into

France any longer; besides which, he hath been guilty of divers other Contraventions against the said Treatys, which the States for Peace sake have conniv'd at: That the Redress which has several times been demanded, hath been rejected with Scorn, as often as such Instances have been made thereupon; and by refusing the Honour which the Ministers of this State have always had allow'd them in *France*, they have endeavour'd to render this State contemptible: That the King of *France*, having begun a horrible Persecution of those of the Reform'd Religion in his Country, hath in that Persecution involv'd the Subjects of this State, who were only settled in *France*, upon the account of Trade; having parted Wives from their Husbands, and Children from their Parents; and so little regard has been had to Justice, that the Consuls residing there for this State have been us'd after a cruel and unheard-of manner; all of them, contrary to the Law of Nations, and the expresse Words of the Treatys, being refus'd Leave to withdraw, but kept there thro' the Severity of Imprisonments and other ill Treatments: That finding, even soon after the Conclusion of the Peace, the ill Intentions of the King of *France* against this State, by the Motions he made of his Troops on our Frontiers, we were oblig'd to keep many Men in our Service, to our great Charge, and to equip a Fleet that stood us in great Sums of Money, for fear of being attack'd anew; by means whereof, the King of *France* in all appearance had a design to waste the Finances of this State; that so when he found its Commerce, Navigation, Manufactures, Fishery and Finances ruin'd, he might the more easily make himself Master of it: That the King of *France* hath some time endeavour'd, by fair Words and solemn Assurances, and even by offers of Alliance, to amuse and lull us asleep, to the end our Tranquillity and Security might be increas'd; for as soon and whenever we have in all Simplicity been desirous, by defensive Alliances tending to injure no body, to secure the Peace of *Nimeguen*, the King of *France* has oppos'd the same; tho it was expressly stipulated by the 20th Article of the said Treaty of Peace, they might do it; and he hath even upon that account threaten'd the States with a new War: And lastly, That the King of *France* hath in time of Peace, contrary to the Articles of the said Treatys, inserted for the mutual Security of the Inhabitants of both Countrys, caus'd the Vessels, Persons and Goods of our good Subjects, to be stop'd and seiz'd, which upon the publick and solemn

Faith

Faith of Treatys were found in the Countrys under his Obedience, carrying on their Commerce there; and hath besides, every where attack'd, taken and carry'd off the Ships and Merchandizes belonging to these Countrys; and not only refus'd to release them, but hath ill us'd the Sailors and Seamen, and threaten'd and solicited them to change their Religion, clapping them up in Prisons, where they are still detain'd; besides which, their Ships have been sold, and all contrary to the 15th Article of the Treaty of Peace, and 38th Article of the Treaty of Commerce, Navigation and Marine, by which it is stipulated, that if a War should happen, six and nine Months respectively should be allow'd the Subjects on either part to depart themselves, together with their Goods and Effects, and even to sell them there without any Molestation, so as that neither their Persons nor their Goods could within that time be liable to be seiz'd. Moreover, that the King of *France* hath at his own pleasure, caus'd his Troops to plunder and burn several Villages within the Dominion of the States, before the War was publish'd and declar'd, or at least the very same day on which it was declar'd, and when we had not had had the least Information that this State had a Rupture with *France*; he having declar'd War against this State by his Declaration bearing date the 26th of *November* last at *Versailles*, without giving any other reason for it, but that we had made some extraordinary Levys and Armaments, which by the indisputed and essential Rights of all Sovereigns we had power to do, and for which we are not oblig'd to be accountable to any body: and this we have done not with a design to injure *France*, but only by way of necessary Precaution; because we were but too well inform'd of the Designs of *France*, and that we were quite out of a condition to defend our selves, when his Designs came to be put in execution, as in reality they are made manifest by several Declarations of War which have been made publick; having at the same time assur'd the King of *France*, upon his Menaces and Suspicions of our Conduct, that this State would no manner of way concern it self with the Election of an Elector and Bishop of *Cologne*, as in reality it cannot be prov'd they ever did; tho we were not upon that account bound to give any Satisfaction to the King of *France*, neither do we do it, but only to shew how we are willing to avoid all occasions that may disturb the publick Tranquillity. Wherefore we have been very desi

rous to inform all and singular our good Subjects, and the Inhabitants in our Provinces of the ill Designs and Machinations which the said King of *France* hath from time to time form'd against this State; and at the same time to give them to understand and seriously to consider, what usage they may expect from him, as well in regard to their Religion and Libertys, as to their Persons and Estates: That as to the Reformed Religion, let them call to mind the cruel Persecution he hath begun against his own Subjects; let them cast their Eyes upon the Infidelity with which he has treated the Towns and Places which they imagin'd were surrender'd to him upon just and favourable Terms, and upon the ravaging of whole Provinces, which they themselves were oblig'd to abandon, without sparing those who profess'd the same *Roman* Catholick Religion with themselves, any more than others, the first of which might expect a more favourable usage; and that trusting to the Justice of our Cause, and in hopes of the Blessing of God, they should with all their might, and by all manner of means help to prevent the loss of their Religion and Libertys, and the ruin of their Persons and Estates, even as we on our part are oblig'd, as well for the defence of all as aforesaid, and for the Reparation of all the Injuriys and Damages unjustly sustain'd by our Subjects, to take up Arms and to declare War against the King of *France*; hereby requiring all our Subjects, Officers and Soldiers, and all and singular Person or Persons, to whom it may belong, to pursue and every where in an hostile manner to attack the Countrys, People, Inhabitants and Subjects of the King of *France*, as well by Sea as Land. And seeing we are, pursuant to the end aforesaid, and as much as in us lies, for the preventing chiefly all other damage, bound and oblig'd to the utmost of our Power, and so as that it may not be an Injury to our Allies, Friends and neutral Governments, and according to the Law of Nations, to keep back and to hinder *France* from being supply'd with Commodities and other Necessarys, by means whereof she may be enabled to continue to injure this State, and the Inhabitants thereof; we have thought it proper and expedient, to order and expressly to forbid all those that are under our obedience; as also to give notice to all other Nations in Alliance, Friendship and Neutrality with this State, as we do order, forbid and give notice respectively by these Presents,

I. In

I. In the first place, None of the Inhabitants of these Countrys are from hence forwards to undertake to carry out of them, or indeed out of any other Countrys, Kingdoms, Places or Towns, directly or indirectly, any war-like Ammunition, Provisions, or any thing else, that may contribute towards fitting out of Ships, be it of what name, sort, quality, condition or nature soever, none excepted; or any other Merchandizes prohibited by the Placarts of the States, in order to transport them into any of the Havens, Islands, Towns or other Parts in *France*, or elsewhere under the Dominion of the said King of *France*, or to keep any Correspondence, or have any Communication with the Inhabitants of the said Kingdom of *France*, or Dependences by Letters or otherwise, tending to the prejudice of this State, be it in what manner it will; neither is any body whatever, tho a Stranger and no Inhabitant of this Country, to dare to do what is here prohibited, under the Penalty of being punish'd, without any Disimulation, as an Enemy of this State.

II. And as, according to the Duty of just and lawful Sovereigns, who are oblig'd to guard and defend their good Subjects and Inhabitants from all Violence and Oppression, we cannot, and even according to the Law and Practice of all nations, are not oblig'd to allow any body whatever to supply the said King of *France*, or his Subjects, with any contraband Goods; we are desirous to give notice hereof to all our Allies, Friends and Neutral Nations, and generally to all People and Countrys, and to desire them forthwith, during the continuance of this present War between the States and the King of *France*, not to attempt to transport any contraband Goods from any Kingdoms, Countrys, Places or Towns, into any Havens, Towns or Places appertaining to *France*, or any others under the Dominion of the said King; it being our Intention to look upon the said Contraband Goods to be good Prize and forfeited, which shall be found laden in order to be carry'd thither, contrary to our Edict and this Declaration: Our Intention being this, that under the name of contraband Goods, are only comprehended all sorts of Fire-arms, and their Dependences, as all sorts of Cannon both great and small, Muskets, Pistols, Harquebusses, Mortars, Petards, Bombs, Granades, Carriages, Forks, Bandaliers, Powder, Match, Saltpetre, Bullets, Iron or Lead Balls, Swords, Lances, Pikes and Halberds; Morions, Head-pieces, Cuirasses, Bucklers, Horses,

Saddles, Houfings; and in a word all other Accoutrements and Instruments made for and appertaining to the Profession of War.

III. And to the end we may the better and more effectually hinder the said transporting of Contrabands as aforesaid, and more particularly provide that such a thing be not done out of these Provinces under any false pretences, no body for the future shall lade and imbark in these Countrys any of the said Goods to be transported and carry'd into any of the Countrys, Towns, or Places belonging to the Allies, Friends, or other Nations that are in Neutrality with this State, without having previously obtain'd the special Leave of the Council of the Admiralty within whose Jurisdiction such an Imbarkation shall be made; and that besides their paying Custom as settled in the Country, they must give sufficient Security to twice the value of the Merchandizes to be transported, that they shall not carry to nor unlade them in any other Kingdoms, Havens, Towns, and Places, but such as those of the said Friends; and neither directly nor indirectly in any manner of way convey them to any places belonging to *France*, or others under the Obedience of the said King: and that they shall make it appear by Certificates, and other sufficient Proofs, that all the said Goods shall be disembark'd in the Countrys to which they shall declare they intend to carry them, and that within a certain time to be specify'd in the Passports that shall be granted to this end, according to the situation and distance of the Places. And in default hereof, and of the elapsing of the said time, the Bond for Double the value of the Goods as aforesaid shall be put in execution, according as the same is tax'd and computed, in proportion to the time of the giving the said Security.

IV. Moreover, we do require all our Subjects and Inhabitants, and also give notice and exhort all our Allies, Friends, and Nations in Neutrality with us, and generally all People and Nations that would go to the Kingdoms, Countrys, Towns, and Places belonging to this State, situate in the East, West or North, or those who would come from thence hither, to keep out upon the high Seas; our Intention being, and we do declare by these Presents, that all the Vessels which shall be found on the *French Coast*, or in other Countrys, Islands, and Places under the Dominion of the said King of *France*, and particularly in the Bays and Gulphs on the Coast of the said Kingdom, and being

being such as are not without suspicion of having some design in view contrary to this our Edict and Declaration, but shall be loaden in the whole or in part with the said contraband Goods, shall be seiz'd by the Captains and other Officers of the Men of War or Privateers of this Country; and shall be brought to a Trial and Judgment by the Admiralty-Court, according to the manner specify'd in the second Article aforesaid: unless the said Ships have been forc'd thither by Storm or some other eminent Danger, which shall be consider'd and determin'd by the said Admiralty, according to the Circumstance of the same.

V. And that we may the better prevent and detect all the Frauds that may be contriv'd in order to elude this Edict and Declaration, we do charge and require all Seamen and Merchants that are Inhabitants of this Country, or who set out from these Countrys with their Vessels and Merchandizes; and besides them, we do also charge and require all others, of what Nation soever they be, or from what place soever they come, neither to take on board, nor cause to be taken, any Effects, Goods or Merchandizes, in order to transport, or cause them to be transported, without regular Sea-Letters, good Passports, Certificates, Bills of Lading, Advice, and other the like Testimonials, that shall be conformable to the Laws and Placarts of those Places where the said Effects, Wares and Merchandizes shall be taken on board, as requir'd upon the Imbarkation, and for transporting them from thence: otherwise we do account the same to be forfeited, and by these presents declare to be good Prize, all the Vessels, with the Effects, Goods and Merchandizes on board them, which shall have more than one Sea-Letter, double Passports, Certificates, and the like Testimonials, together with all those Ships and Merchandizes that are not duly provided with the necessary Testimonials, as before mention'd.

VI. And to the end that all Officers and Commanders of Men of War belonging to the States, as well as to private Men by our Order, may be certain that the Ships which they shall meet with at Sea, have a design to go into some one of the said Havens, Towns, or Places in France, or others under the Dominion of the said King; the said Captains may stop at Sea all the Vessels they have some suspicion of, and demand their Passports and other Testimonials, setting forth the Country they belong to, in what place they took in their lading, and the nature of the Car-

go: which when they have been produc'd to them, and they have found that the said Vessels were not design'd with any contraband Goods to go to any Harbour or Place under the Dominion of the said King of *France*, they are to let them pursue their Voyage without molestation; but if they shall by any means find out the contrary, they may secure the said Ships with their Merchandizes, as also the Titles or pretended Testimonials they have found on board, and were produc'd to them. And they shall in the best form they can set down in writing what the Master, or any of the Ship's Company, shall declare at that time, as well in reference to the Design of their Voyage, as to the Circumstances of the Ship and Cargo, and shall cause the same to be sign'd by the Master of the Ship: that so the said Documents, Ship and Lading may be sent and put into the hands of the Admiralty, from whence he that took the Prize set out.

VII. And moreover 'tis our Will and Pleasure, that all the Penaltys and Regulations above-mention'd be actually perform'd and inflict'd by and upon all the Inhabitants and Infractors of this our Edict, whether they be Merchants, Sailors, or others, let them be who they will, by the forfeiture of Ships and Cargo, or part of the same, in the manner aforesaid; or if otherwise they have them not in their power, they are to make satisfaction in Money in proportion to the value of the things, every one for himself: In case that upon their arrival in these Provinces, or otherwise as opportunity may occur, it shall be prov'd that they have in any manner of way contraven'd this present Placart and Declaration, in the same sort as if they had actually been found in the fact, and by the said Men of War taken at Sea, or otherwise surpriz'd and seiz'd here in the Country by other Officers.

VIII. And to the end that by the Execution of this present Placart and Proclamation, no cause of Complaint may be given to any Kings, Republicks, Princes, Potentates, or Citys in alliance with this State; we do by these Presents positively command and require all Sea-Commanders and Officers, as well belonging to the Men of War of this State, as to Ships fitted out by private Men by our Order, punctually to conform themselves to the Alliances and Treatys already made, or to be made upon this account, with other Kings, Republicks, Princes, Potentates and Citys: to which end we do command our Councils of the Admiralty

ralty to give notice and particular information to all the Captains of Men of War, that are to sail from their respective Jurisdictions.

IX. And it shall appertain to the Council of the Admiralty, within whose Jurisdiction the Contravention shall be discover'd, or from which the Captains that have seiz'd them at Sea shall set out, to pass Sentence concerning the Infraction of this Placart.

X. But in case those that contravene this Edict shall not be found in the fact, but are afterwards accus'd thereof; in that case the Cognizance of the matter shall appertain to the Council of the Admiralty, or the common Judges before whom the Cause shall at first be brought. And to the end that all Officers, as well as all other Persons who have the Prosperity of this State at heart, and are Enemies to such Contraventions, may be the more diligent to see that this Edict be most punctually observ'd throughout, and in every particular; and that those who shall contravene the same, shall for an example to others be punish'd according to the intent and meaning of these Presents; all the Goods and Effects which by Forfeiture or otherwise shall arise, pursuant to this our Placart, shall be apply'd in the same manner as the Penalties, Forfeitures, and Confiscations are apply'd and divided, pursuant to the Placarts of the respective United Provinces of the *Low Countries*; viz. one

Third to the Seizer and Captor, whether he be bound by Oath or in the Service of the State or not; one Third to the Officer that shall put the same in Execution, and the last Third to the use of the Republick.

XI. And as to those Ships and Goods which shall be taken at Sea, or brought in by any of the Men of War belonging to this State, or Privateers fitted out by private Men, upon the account of their contravening this our Placart and Proclamation, and shall in pursuance thereof be confiscated and adjudg'd to be good Prize by the said Councils of the Admiralty; the Partition thereof shall be made according to the Instructions, Placarts, and Ordinances already, or which hereafter shall be in force.

XII. And to the end that all the Ships and Goods, which, upon the account of the contravening of this Ordinance and Proclamation, shall be taken, seiz'd, and brought into this Country, shall as they ought be deliver'd into the hands of the said Councils; we do by these presents most expressly enjoin those who shall seize the same, to conform themselves,
and

and to see that all that belong to them do conform themselves to our Placarts issu'd out in 1640. against the disorderly rifling of such Ships; letting them at the same time know that the Penaltys inflicted by the said Placart shall be severely put in execution against all those who shall dare to do any thing contrary to the said Prohibition.

XIII. Farther, to the end we may on the one side prevent, that the Damage, which by the Forfeiture of the said Ships and Merchandizes ought to fall upon those that contravene this our Placart, may not tend to the detriment of some other Inhabitants of these Provinces; and that on the other side the Freedom of the Navigation and Commerce of *France* may be interrupted as much as possibly we can: we do by these Presents expressly command, that none of the said Inhabitants shall presume to insure any of the Ships or Merchandize belonging to the Subjects of the said King of *France*, nor any of the Ships or Goods going to or freighted for any of the Havens, Towns, or other Places of *France*, or any other where under the Dominion of the said King: or even that come from those Havens, Towns, or Places, directly or indirectly, either by themselves or other Persons, within or without these Countrys, be it which way it will: Neither shall they give or receive any Reversals for the eluding of this present Placart, either directly or indirectly, be it in what manner it will, upon the Penalty of forfeiting the Sum for which the Insurance has been made. And the same shall take place as well in respect to the Insurance made, as the Reversal to be given; and 'tis to be apply'd and executed as aforesaid. And the Officers who upon this account shall be found tardy, shall be punish'd at pleasure, either by being turn'd out of their places, or otherwise, as the Circumstances do require.

And that no body may hereafter pretend Ignorance, we do command and require the Lords the States, Counsellors, Deputys, and the States Deputys of every Province and all Officers of Justice and others, that they do forthwith cause this our Edict to be publish'd, and affix'd to all the Places necessary, and where they have been wont to publish and affix the same. We do moreover command and charge the Councils of the Admiralty, Fiscal Advocates, Admirals, Vice-Admirals, Captains, Officers and Commanders, as also the Commissarys and Searchers, as well of the Sea-Ports as elsewhere, to keep and cause this our Edict to be kept, and to prosecute and cause Process to be made against those

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those who shall contravene the same, without any Connivance, Favour, Dissimulation, or Fellow-feeling; for this we allow to be for the benefit of the State. Given and concluded in the Assembly of the said Lords the States General at the *Hague*, *March 9*, 1689.

John Becker, and a little lower by their command sign'd *H. Fagel*, and seal'd in the void place with the Seal of the said Lords the States in Red Wax.

A Treaty between William III. and Mary, King and Queen of Great Britain, and the States General of the United Provinces of the Low Countrys, concerning the fitting out a Fleet: April 29, 1689.

THE King and Queen of *Great Britain* being above two Months since requir'd by the States General of the United Provinces of the *Low Countrys*, forthwith to fulfil the Treaty made on the third of *March* 1672. between the late King *Charles II.* and the Lords the States General, in case it should so happen that the most Christian King came to declare War against them; their said Majestys being willing openly to testify the Sincerity and Affection they have always bore for and still do towards the said Lords the States General, have not only found it to be just that the said Treaty should be executed according to the tenour thereof; but they have also, in order to give them greater marks of their unfeign'd Friendship, and to the end they may attain, as soon as may be, to a good Peace, thought it proper to augment with a greater number of Ships, the Succours stipulated by the said Treaty: To which end, and the better to concert the manner they ought to act at Sea, their said Majestys and the said Lords the States General have nam'd Commissioners, *viz.* on their Majestys part *Daniel* Earl of *Northingham*, one of their Majestys principal Secretarys of State, *John* Earl of *Carbery* in the Kingdom of *Ireland*, and *Baron Vaughan* in *England*, one of the Commissioners of the Admiralty; Ar-
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thor Herbert Esq; first Lord Commissioner of the Admiralty, and one of their Majestys most honourable Privy Council; and *Edward Russel* Esq; Treasurer of the Navy, and one of the Privy Council: and on the part of the Lords the States General, Messieurs *Nicholas Wilsen*, Burgo-master, Counsellor and Treasurer of the City of *Amsterdam*; *William de Nassau*, Baron de Cortgene, Lord of *Odyck*, *Seyft*, *Drybergen*, and *Blickenburg*, the first and the Representative of the Nobility in the Council and Assembly of the States of *Zeland*; and *Everhard de Weede*, Lord de Weede; *Dyckvelt Rateles*, Lord of *Oudemater*, President of the Assembly of the States of the Province of *Utrecht*, and Deputy to the Assembly of the States General. Which Commissioners and Deputys, after several Conferences, concluded, promis'd, and agreed on the following Articles, in the name of their Majestys and the said Lords the States.

I. That their Majestys shall send to Sea fifty large Men of War, *viz.* one Second Rate, seventeen Third, and thirty two Fourth Rates, with fifteen Frigates and eight Fireships; which Men of War, Frigates, and Fireships, shall together have on board seventeen thousand five hundred and five effective Men.

II. That the Lords the States General shall on their part put to Sea thirty great Men of War, *viz.* eight carrying from seventy to fourscore Guns, seven from sixty to seventy, and fifteen from fifty to sixty Guns; besides which the said Lords the States General shall also equip nine Frigates and four Fireships: which Men of War, Frigates, and Fireships shall have all together ten thousand five hundred and seventy two effective Men on board.

III. The Fleet of their Majestys, and of the said Lords the States, shall put to Sea, and join at such a Place as the King of *Great Britain* shall name, as soon as possible.

IV. That their Majestys and the said Lords the States Fleets shall be divided into three Squadrons, the first of which shall consist of fifty great Ships, six Frigates, and eight Fireships, and shall be employ'd in the *Mediterranean*; the second shall consist of thirty great Ships, eight Frigates, and four Fireships, and shall be made use of in the *Irish* Seas, and in the Channel, unless things shall be otherwise regulated by the Consent of both Partys; and the third of six Frigates, which shall be employ'd from between *Calais* and *Dover*, as far as *Yarmouth* on the Coast of *England*,

England, and the Isle of *Walcheren* on the Coast of *Zeland*: and the two last Squadrons shall give mutual Assistance to one another whenever there are occasions for it.

V. Each of the said Squadrons shall partly consist of their Majestys Ships, and partly of the Ships of the States General, in such a proportion as suits the number of Ships in each Fleet.

VI. The first Squadron shall be plentifully supply'd with all sorts of Necessaries, as well for Life as for War and naval matters, for a whole year: And the rest which the Fleet cannot carry, shall be laid up in *Port Mahone* in the Isle of *Minorca*, or in *Port Perara* in that of the *Elbe*, or in some other place, as the Admiral and Council of War shall think most convenient. And the King of *Spain*, the Grand Duke of *Tuscany*, and the Republick of *Genoa*, shall be requir'd on the part of their Majestys and the States General, favourably to receive into their Ports the Ships of the said Squadron, and to give them all manner of Accommodation. And the two other Squadrons shall also be provided with Provisions and other Necessaries for a whole year, or for the time that shall be thought most proper for their doing good service to the common Cause.

VII. It hath been agreed that each of the said Squadrons shall be commanded, during this War, by the Admiral or the Commander in chief of their Majestys Fleet; and that he shall also be obey'd by the Detachments of each Squadron.

VIII. The Councils of War shall consist of all the Officers that carry Flags on both sides, and in an equal number; but as often as the Votes are equally divided, all the Captains of the Men of War, both in the one and the other Fleet or Squadron, shall be join'd to them. In all which Councils of War, the Admiral or Commander in chief of the Fleet or *English* Squadron shall preside; and each one shall sit with the great Officers and Captains of their Majestys according to their Rank, on the right side of the Board. And the Admiral or Commander in chief of the Fleet or Squadron of the States General, shall sit with the great Officers and Captains of the said States General on the other side of the Board, over against those of their Majestys. And all Affairs, be they what they will, that come to be debated in the said Councils of War, or that shall be propos'd there, shall be determin'd by plurality of Voices; and all that shall be thus agreed or resolv'd

on, shall be punctually executed without any manner of delay, according as the same has been settled by them.

IX. When there shall be any Cause or Prosecution on foot, that refers to the Officers, Soldiers, Seamen or others in the Service of their Majestys, the said Process shall be always decided or determin'd in a Council of War, which shall consist only of Officers under their Majestys; and in like manner, when there shall be any Affair or Process on foot, refering to the Officers, Soldiers, and Seamen or others in the Service of the said Lords the States General, the Business shall be decided or determin'd in a Council of War, consisting of Officers belonging to the said Lords the States General.

X. But if the Business or Process refers to the Officers, Soldiers, Seamen or others, be they of what quality soever they will, which shall be in the Service of their Majestys, and of the said Lords the States General, or shall be any ways concern'd one against the other: In that case a Council of War, consisting of Officers of both the Fleets concern'd, according to the form prescrib'd in the Eighth Article, shall take cognizance of the whole Affair, to the end that they may adjudg and determine which Party, or what Person shall be culpable, or ought to be punish'd or chastis'd; which Judgment having been once given, the Council of War, consisting of their Majestys Officers, if the Offender is in their Service, shall cause him to be chastis'd and punish'd according to the Laws, Customs and Instructions settled and observ'd in the like Cases, in that of the said two Fleets to which the Offender doth belong.

XI. All the Prizes shall be divided between their Majestys, and the said Lords the States General, in proportion to the number of Ships in each Fleet; that is to say, that their Majestys shall have five out of eight equal parts, and the said Lords the States General shall have three Parts: and this shall be always observ'd, even when the said Prizes shall be made by their Majestys Ships, without the assistance of those of the States General; and by the Ships of the said Lords the States General, without the assistance of those of their Majestys.

XII. As to the taking of Prizes by the Men of War, they shall be adjudg'd by the Admiralty to which the Ship that took the Prize shall belong, whether *Dutch* or *English*; and the Produce shall be divided, according to the Contents of the preceding Article, but without that part
 2 which

which shall be deliver'd to the Admiralty (which shall not be condemn'd) being charg'd with real Costs by the Officers on either part, but only with the necessary Expences.

XIII. And if the Prizes are taken by Ships in concert of either side, they shall be condemn'd by the Court of Admiralty, upon which the Ships that are strongest in number of Cannon, that have taken the Prizes, do depend.

XIV. That their Majestys shall give order, that in all the Instructions laid down to Captains of Men of War, appointed or to be appointed to convoy Merchant-Ships any where, and even to those which go from time to time to the *West-Indies*, an Article shall be inserted, very strictly injoining them to protect the Merchant-Ships belonging to the Subjects of the States General, that pursue the same course as the said Men of War do, and desire to be put under their Protection, from all manner of Insults and Attacks whatsoever. And that another Article shall be inserted, enjoying also the said Captains very strictly, that in case the Plantations, Colonys, or other Territorys whatsoever, which the said Lords the States General possess at present, or shall possess for the future in the *West-Indies*, require Succours for their Defence against the Attacks or Insults of their Enemies, they shall, as soon as they are demanded, give them all the Aid and Assistance they can for the defence of the said Plantations, Colonys, or other Territorys, against all the said Attacks and Insults, so far as the Circumstances of the Plantations, Colonys, or other Territorys of their Majestys will allow it. And the said Lords the States General shall also give Orders, that the same Articles shall be inserted, and in a most express manner, in all the Instructions of the Captains of their Men of War, that are or shall be appointed Convoys to the Merchants any where, and even to those who go from time to time to the *West-Indies*, in respect to the Protection which the said Captains are to give to the Merchant-Ships belonging to their Majestys Subjects, as well as in reference to the Aid and Assistance they shall give for the defence of the Plantations, Colonys and other Territorys, which their Majestys now enjoy, or which they may for the future enjoy in the *West-Indies*, and in the manner and form before prescrib'd.

XV. The present Treaty shall be ratify'd by their Majestys, and the said Lords the States General; and the Ratifications shall be exchange'd in the space of six Weeks, if
so

so be that a Treaty of an Offensive and Defensive Alliance be not agreed and sign'd between their Majestys and the said Lords the States General, before the Expiration of this Term; in which case this present Treaty shall be comprehended therein, and confirm'd by it. In the mean time the said Commissioners and Deputies have agreed, that this same Treaty shall not fail to be executed on either part, but that all and every Article thereof shall be punctually observ'd, and with all Sincerity, in the same manner as if the Ratifications were already exchange'd. Done at *Whitehall*, April 29, 1689. Sign'd,

Nottingham,
Carbery,
Russel,
N. Witsen,
W. de Nassau,
De Weede.

Declaration of War put out by Don Francisco Antonio de Agurto, Marquiss of Castanaga, Knight of the Order of Alcantara, Lieutenant-Governor and Captain General of the Netherlands, &c. for the King of Spain, against France. Given at Brussels, May 3, 1689.

AFTER all the Treatys of Peace and Truces, that have been so religiously observed on the part of the King our Lord, and so slightly infracted, so voluntarily broken, and so rashly violated on the part of *France*; by numberless Arts, too tedious to be enumerated in this place, they being so well known to all *Europe*; and that her Ambition is such, that she would not scruple to swallow up the whole; his Majesty, after so much Moderation, and having in view the Preservation of the publick Tranquillity, finds himself (to crown so many Attempts made against

against him) attack'd by an unjust Declaration of War of the most Christian King's, bearing date on the 15th of April, and such an one as is void of all manner of Pretences, destitute of all sorts of Reasons and Allegations of Justice, and even derogatory from his Majesty's Piety; seeing he has strain'd things so far as to endeavour to make the World believe, that the Alliances he may have with his Neighbouring Princes and States are scandalous; whereas they can have no other Aim, than to tend to the glorious End and Security of the Repose of *Christendom*, and the reciprocal Grandeur of their Dominions: while the Arms of *France* on the other hand, inhumanly, and with unheard of Crueltys and Barbaritys, lay waste all the Territorys of the Empire, without any regard had to the Laws of Religion, of War, and the sacred Rights of Treatys; and while his Ministers make use of all their Artifices, by way of Negotiation and other ways, to disturb the Harmony of *Christendom*, to bring on all the Power of the *Ottoman* Empire to destroy *Hungary*, and at the same time to traverse the concluding of a Peace between his Imperial Majesty, his high Allys, and the *Ottoman* Port. And as his Majesty finds himself so unjustly attack'd, and being willing to make use of and advantageously to imploy all the means in his Power for the Support of his Glory, and the Grandeur of his Dominions, as well as being excited thereunto by a natural Principle of a just Defence, which we hope the righteous God will bless, and second the good and pious Intentions of his Majesty, as knowing those of all Kings: Wherefore we do require and command all our Generals, Governors, Commanders, with our Captains and other military Officers and Soldiers, as well Foot as Horse, with all their Power and Force to resist the Subjects of *France*, to fall upon them, and to commit all Acts of Hostility against them, as well by Sea as Land, as against Enemys, Aggressors, and Violators of Treatys. We command all his Majesty's Vassals and Subjects, let them be in what part they will of the Dominions of *France*, to retire from thence within fifteen days after the publication of this Declaration, and to keep no Correspondence, Communication nor Commerce with the Subjects of *France* without our special leave, upon pain of Death, pursuant to the Course of our Laws and Placarts.

Moreover we do declare, that all the Goods and Estates, moveable and immoveable, the Rents, Revenues, Rights, Actions, Debts and Effects belonging to the Subjects of *France* in this Country, be forfeited to the King's use: And we do command all *French* Natives, and Subjects of *France* in general, living in these Provinces, to depart out of them, together with their Wives, Children and Families, within eight days after the publication of these Presents, upon the penalty of being made Prisoners of War, and held as good Prize. And if it should so happen, that any of his Majesty's Vassals should in their own Houses, or elsewhere, conceal any of the Subjects of *France*, they shall for the first Offence forfeit a thousand Petacoons, two thousand for the second; and as to the third, they shall forfeit all their Estates, and be liable to further Punishments, as the nature of the case may require: One half of the said Forfeitures shall go to the Discoverer, and the other to the Officer that puts the same in execution. And to the end this Declaration may be known to every body, we do require it to be publish'd and affix'd forthwith in the due manner and form, in the usual and accustom'd Place. Done at *Brussels*, May 3, 1689. Sign'd,

The Marquis *de Castanaga*.

Lower,

By his Excellency's Command, sign'd,

L. A. de Claris.

And it was seal'd with his Majesty's
Privy Seal in Red Wax.

The Grand Alliance betwixt the Emperor and the States General, concluded at Vienna, May 12, 1689. Whereinto his Majesty of Great Britain entred, December 9, 1689. Together with the Separate Articles.

WILLIAM the Third, by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, &c. To all and every one to whom these Presents shall come, Greeting. Whereas a certain Treaty of Friendship and firmer Alliance between the most Serene, most Potent, and most Invincible Prince and Lord *Leopold*, by the Grace of God, elect Roman Emperor, always August, and of Germany, Hungary, Bohemia, Dalmatia, Croatia, Slavonia, &c. King, &c. and the High and Mighty Lords the States General of the United Provinces, was made and concluded at Vienna the 12th day of May last past, on the Emperor's part, by *Leopold William* Count of *Konigsegg* Vice-Chancellor of the Empire, &c. and *Theodore Althete Henry* Count of *Stratman* Chancellor of the Court, his Imperial Majesty's Plenipotentiarys and Counsellors of State: And on the part of the States General, by *Jacob Hop*, Counsellor and Recorder of the City of *Amsterdam*, and Deputy for *Holland* and *Westfrizeland* in the Assembly of the States General. The tenor of which Treaty is as follows.

Be it known and declar'd, that altho the Treaty concluded at the *Hague* a few years since, between his Sacred Imperial Majesty, and the High and Mighty Lords the States General of the United Provinces, for their mutual Defence, does yet remain in its full vigour; nevertheless both his Imperial Majesty, and the said States General considering the Greatness of the common Danger which threatens all *Christendom* since the last *French* Invasion, and the unconstant Faith of the *French* in the observance of Treatys, have judg'd it necessary to strengthen the Con-

ditions of the aforesaid Treaty, and the former Union, with stricter and firmer Ties; and at the same time to consider of more effectual means, as well for restoring as preserving the publick Peace and Safety: And therefore the Plenipotentiarys constituted to that purpose by both Partys, viz. by his Imperial Majesty, his Counsellors of State, *Leopold William* Count of *Conigsegg* Vice-Chancellor of the Empire, &c. and *Theodore Albete Henry* Count of *Stratman*, Chancellor of the Court; and by the States General, *Jacob Hop*, Counsellor and Recorder of the City of *Amsterdam*, and Deputy for *Holland* and *Westfrizeland* in the Assembly of the States General, after the mutual Exchange of their full Powers, have covenanted and agreed in the manner following.

I. There shall be and remain for ever a constant, perpetual and inviolable Friendship, and good Correspondence between his Imperial Majesty and the States General, and each of them shall be oblig'd earnestly to promote the other's Interests, and as much as in them lies to prevent all Damages and Inconveniences to them.

II. And whereas the *French King* has lately, without any lawful Cause or Pretext, attack'd as well his Imperial Majesty as the States General, by a most grievous and most unjust War, there shall be during the same not only a Defensive, but also an Offensive Alliance between the contracting Partys, by virtue whereof they shall both of them act in a hostile manner with all their Forces by Sea and Land against the said *French King*, and such of his Allys, as upon Exhortation to be us'd for that purpose, shall refuse to separate themselves from him: and they shall also communicate to one another their Advices for the more usefully contriving the Actions of the War, either jointly or separately, for the Destruction of the common Enemy.

III. It shall not be lawful for either Party to withdraw from this War with *France*, or to enter separately upon any Convention, Treaty of Peace, or Cessation of Arms with *France*, and its Adherents, upon any Pretext whatsoever, without the Consent and Concurrence of the other Party.

IV. There shall by no means any Peace be concluded before the Peace of *Westphalia*, and those of *Osnabrug*, *Munster*, and the *Pyreneans*, have by the help of God and by common Force, been vindicated; and that all things

things both in Church and State are restor'd to their former Condition, according to the Tenor of the same.

V. In case any Negotiations of Peace or Truce shall, by common Consent, be entred into, all things that are transacted shall on both sides be communicated, *bona fide*; nor shall one conclude any thing without the Consent and Satisfaction of the other.

VI. After the present War, by common Consent, shall be ended, and a Peace concluded, there shall remain between his sacred Imperial Majesty, his Heirs and Successors, and the States General of the *United Provinces*, a perpetual defensive Alliance against the often mention'd Crown of *France* and its Adherents; by virtue whereof both Partys shall use their utmost Endeavours, that the Peace to be made may remain firm and perpetual.

VII. But if it should happen that the Crown of *France* should again attack one or both of the Confederate Partys, contrary to the said Peace, at what time soever this shall be done, they shall be oblig'd faithfully to assist each other with all their Forces, and in the same manner as now, both by Sea and Land, and to repel all manner of Hostility and Violence; and not to desist till all things are brought again into their former state, according to the Conditions of the aforesaid Peace, and that Satisfaction be given to the Party offended.

VIII. Further, his Imperial Majesty and the States General shall at all times, and by all means, and with all their Forces, protect and defend all the Rights of each other against the Crown of *France* and its Adherents; nor shall they themselves do any prejudice to each other in their said Rights.

IX. If there are any Controversies between the contracting Partys on occasion of the Limits of their Dominions, or that any such should arise hereafter, they shall be accommodated and compos'd in a friendly manner, either by a Commission, or Ministers deputed by both sides, without making use of any manner of Force; and in the mean time nothing shall be innovated therein.

X. There shall be invited into the Society of this present Treaty by his Imperial Majesty the Crown of *Spain*, and by the States General the Crown of *England*; and there shall be likewise admitted into the same all the Allies and Confederates of either Party who shall think fit to enter into the same.

XI. This Treaty shall be ratify'd by both Sides within the space of four Weeks, or sooner if it may be.

In witness whereof, and for a greater confirmation of the Credit and Sincerity hereof, there are two instruments of the same Tenor made, and sign'd and seal'd by the Plenipotentiarys of both Partys, and reciprocally exchanged, Done at *Vienna* the 12th of *May*, 1689.

(L S) *Leopold William* Count of *Konigsegg*,

(L S) *T. A. Henry* Count of *Stratman*,

(L S) *J. Hop*.

Whereas the High and Mighty Lords, the States General of the *United Provinces*, have sent to us their Ambassadors Extraordinary, Copys of the Alliance lately concluded with his sacred Imperial Majesty, to the end that we should in their Name invite the King of *reat Britain* to enter into this Alliance; we the underwritten Ambassadors Extraordinary do declare, That these are true and accurate Copys of those that were sent us: for the Confirmation whereof we have made this Declaration $\frac{1}{2}$ September, 1689.

A. Schimmelpeninck,
Vander Oge,
Arnout van Citters,

N. Witsen,
De Weede.

And whereas the States General have, by their Ambassadors Extraordinary, invited us by virtue of the tenth Article, to enter into the Alliance of the aforesaid Treaty; we who desire nothing more than to lay hold of all those means which are necessary and most useful for restoring and preserving the publick Peace and Quiet, do the more readily come into the same, that we may give this proof of our sincere Affection and Friendship for his Imperial Majesty, and the said States General. Know ye therefore, that we having perus'd, and maturely consider'd the said Treaty, have accepted, approv'd and ratify'd, as we do by these Presents, for Us, our Heirs and Successors, accept, approve and ratify the same, together with all and every Article thereof; engaging, and upon the word of a King promising, that we will religiously and inviolably observe and perform the said Treaty, without violating it in any Article, or suffering it

it to the utmost of our Power to be violated. Provided always, that his Sacred Imperial Majesty, and the said States General do admit us into the said Treaty, and give and deliver to us the necessary Instruments respectively drawn up in the best manner. In further Witness and Testimony whereof, we have caus'd our Great Seal of *England* to be affix'd to these Presents. Sign'd with our Hand. Given at our Court at *Hampton-Court*, the Ninth day of *December*, in the year of our Lord, as above, 1689. and of our Reign the first.

WILLIAM Rex.

Separate Articles.

FRANCE having openly declar'd, in several Places and Courts, that notwithstanding the most solemn Renunciation, they still pretend by force of Arms to assert for the Dauphin the Succession of the *Spanish* Monarchy, in case his Catholick Majesty should die without lawful Issue, and publicly aiming to make the said Dauphin King of the *Romans*: The States General of the *United Provinces* maturely considering what a Blow either of these Pretensions would give to their State, and what Prejudice it would bring to the publick Affairs and Quiet, do promise by these separate Articles, which are as valid as if they had been inserted word for word in the principal Treaty; first, That in case the present King of *Spain* should die without lawful Issue (which God forbid) they will, with all their Forces, assist his Sacred Imperial Majesty or his Heirs, in taking the Succession of the *Spanish* Monarchy, lawfully belonging to that House, together with its Kingdoms, Provinces, Dominions and Rights, and in their obtaining and securing the quiet possession thereof against the *French* and their Adherents, who shall directly or indirectly oppose this Succession; and with Force repulse the Force they bring against them.

They will likewise use all friendly Offices and Endeavours with the Princes Electors of the Empire their Confederates, that the most Serene *Joseph* King of *Hungary*, his Imperial Majesty's eldest Son, may be speedily chosen

King of the *Romans*: And if *France* should by Threats or Arms hinder, oppose, or any way disturb this Election, they will in opposition thereto assist his Sacred Imperial Majesty with their utmost Force.

The Crown of *England* shall be likewise invited to enter into the Agreement of these Articles, made at *Vienna* the Twelfth of *May*, 1689. Sign'd,

(L. S.) *T. A. Henry Comes de Stratman.*

(L. S.) *J. Hop.*

Whereas the High and Mighty Lords, the States General of the *United Provinces*, have sent to us their Ambassadors Extraordinary Copys of the Separate Articles of the Treaty lately concluded with his Sacred Imperial Majesty, to the end that we should in their Name invite the King of *Great Britain* to enter into this Alliance; We the underwritten Ambassadors Extraordinary do declare, that these are true and accurate Copys of the Separate Articles of the aforesaid Treaty. For the confirmation whereof we have made this Declaration $\frac{1}{2}$ September, 1689.

A Schimmelpeninck,
Vander Oge,
Arnoult van Citters.

N. Witsen,
W. de Nassau,
De Weede.

These separate Articles were ratify'd in the same manner as the Treaty.

King

King William and Queen Mary's Declaration of War against France, May 7, 1689.

IT having pleas'd God to make us the happy Instrument of rescuing these Nations from great and imminent Dangers, and to place us upon the Throne of these Kingdoms, we think our selves oblig'd to endeavour to the uttermost to promote the Welfare of our People, which can never be effectually secur'd, but by preventing the Miseries that threaten them from abroad.

When we consider the many unjust Methods the French King hath of late years taken to gratify his Ambition; that he has not only invaded the Territories of the Emperor, and of the Empire, now in amity with us, laying waste whole Countries, and destroying the Inhabitants by his Armies, but declar'd War against our Allies, without any Provocation, in manifest Violation of the Treaties confirmed by the Guaranty of the Crown of *England*; we can do no less than join with our Allies in opposing the Designs of the French King, as the disturber of the Peace, and the Common Enemy of the Christian World.

And besides the Obligations we lie under by Treaties with our Allies, which are a sufficient Justification of us for taking up Arms at this time, since they have call'd upon us so to do; the many Injurys done to us and to our Subjects, without any reparation, by the French King, are such, that (however of late Years they were not taken notice of for Reasons well known to the World) nevertheless we will not pass them over without a publick and just Resentment of such Outrages.

It's not long since the French took Licences from the English Governor of *Newsoundland* to fish on the Seas upon that Coast, and paid Tribute for such Licences, as an Acknowledgment of the sole Right of the Crown of *England* to that Island: and yet of late the Incroachments of the French upon our said Island, and our Subjects Trade and Fishery, have been more like the Invasions of an Enemy,
than

than becoming Friends, who enjoy'd the Advantages of that Trade only by Permission.

But that the French King should invade our *Caribbee* Islands, and possess himself of our Territories of the Province of *New York* and of *Hudson's Bay*, in a hostile manner, seizing our Forts, burning our Subjects Houses, and enriching his People with the Spoil of their Goods and Merchandizes, detaining some of our Subjects under the hardship of Imprisonment, causing others to be inhumanly kill'd, and driving the rest to Sea in a small Vessel, without Food or Necessaries to support them, are Actions not becoming even an Enemy; and yet he was so far from declaring himself so, that at that very time he was negotiating here in *England* by his Ministers a Treaty of Neutrality and good Correspondence in *America*.

The Proceedings of the French King against our Subjects in *Europe*, are so notorious, that we shall not need to enlarge upon them: His countenancing the Seizure of English Ships by French Privateers, forbidding the Importation of a great part of the Product and Manufactures of our Kingdom, and imposing exorbitant Customs upon the rest, notwithstanding the vast Advantage he and the French Nation reap by their Commerce with *England*, are sufficient Evidences of his Designs to destroy the Trade, and consequently to ruin the Navigation, upon which the Wealth and Safety of this Nation very much depends.

The Right of the Flag, inherent in the Crown of *England*, has been disputed by his Orders, in Violation of our Sovereignty of the Narrow Seas, which in all Ages has been asserted by our Predecessors, and we are resolv'd to maintain, for the Honour of our Crown, and of the English Nation.

But that which must nearly touch us, is his unchristian Prosecution of many of our English Protestant Subjects in *France*, for Matters of Religion, contrary to the Law of Nations, and express Treaties; forcing them to abjure their Religion by strange and unusual Cruelties, and imprisoning some of the Masters and Seamen of our Merchants Ships, and condemning others to the Gallies, upon pretence of having on Board, either some of his own miserable Protestant Subjects, or their Effects. And lastly, as he has for some years last past, endeavour'd by Insinuations and Promises of Assistance, to overthrow the Government of *England*; so now by open and violent Methods,
and

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and the actual Invasion of our Kingdom of *Ireland*, in support of our Subjects in Arms and in Rebellion against us, he is promoting the utter Extirpation of our good and loyal Subjects in that our Kingdom.

Being therefore thus necessitated to take up Arms, and relying on the Help of Almighty God in our just Undertaking, We have thought fit to Declare, and do hereby Declare War against the French King; and that We will, in Conjunction with our Allies, vigorously prosecute the same by Sea and Land (since he hath so unrighteously begun it) being assured of the hearty Concurrence and Assistance of our Subjects in support of so good a Cause: hereby willing and requiring our General of our Forces, our Commissioners for executing the Office of High Admiral, our Lieutenants of our several Counties, Governors of our Forts and Garisons, and all other Officers and Soldiers under them by Sea and Land, to do and execute all Acts of Hostility in the Prosecution of this War against the French King, his Vassals and Subjects, and to oppose their Attempts: Willing and Requiring all our Subjects to take notice of the same, whom we henceforth strictly forbid to hold any Correspondence or Communication with the said French King, or his Subjects. And because there are remaining in our Kingdoms many of the Subjects of the French King, We do Declare and give our Royal Word, That all such of the French Nation as shall demean themselves dutifully towards us, and not correspond with our Enemys, shall be safe in their Persons and Estates, and free from all molestation and trouble of any kind.

Given at our Court at Hampton-Court the 7th day of May, 1689. in the first Year of our Reign.

God save King William and Queen Mary.

A Convention made between the Commissioners of William III. King of England, and the Ambassadors of the United-Provinces; Concluded at London, August 1st, 1689. concerning the Prohibition of Commerce with France.

FOrasmuch as the Most Christian King hath Declared War against the States-General of the United Provinces of the Low-Countrys, and the other Allies of the King of *Great Britain*; and his Majesty having put forth his Declaration of War against the said Most Christian King, it behoves the said King of *Great Britain*, and the said Lords the States General to do as much Damage as possibly they can to the Common Enemy, in order to bring him to agree to a just and equitable Peace, and to comply with such Conditions as may restore the Tranquillity and Repose of *Christendom*: And as 'tis necessary for this end that they should make use of all their Forces, and more particularly order matters so, as effectually to interrupt and break off all Trade and Commerce with the most Christian King's Subjects, that the said King and his Subjects may be debar'd of all manner of Supplies for the use of the War, which otherwise may by the continuance of it become very injurious, and be the Cause of the effusion of much Christian Blood; and that his said Majesty the King of *Great Britain*, and the said Lords the States General, the better to attain that end, have order'd their Fleets to sail towards the Coast of *France*, and to block up all the Ports, Havens and Roads belonging to the Most Christian King.

I. It's agreed and concluded between his Majesty, the King of *Great Britain*, and the Lords the States-General, that neither the King's nor the States Subjects shall be allow'd, either with their own Ships, or those of any other Kingdom, Country or Territory, to traffick or have any Commerce with the Subjects of the Most Christian King
in

in any manner whatsoever; neither shall they import into the Havens or Countries of the said King, or the said States General, nor into any other Countrys, any Merchandizes or Wares, the produce of the Dominions and Territories under his Most Christian Majesty's Obedience; no, nor to carry into the said Countries and Territories, any Merchandizes or Wares whatsoever, under the penalty of forfeiting the said Merchandizes and Wares, as also the Vessels employ'd in the carrying of them.

II. And as several Kings, Princes and States in *Europe* are already engaged in a War against the Most Christian King, and that they have already prohibited, or will in a short time prohibit all Commerce with *France*: It's agreed between his said Majesty of *Great Britain* and the said Lords the States-General, that if, during the course of this War the Subjects of any other King, Prince or State, shall undertake to traffick or have any Commerce with the Subjects of the Most Christian King; or if their Vessels or Shipping are met with in their Passage to the Ports, Havens or Roads, under the Obedience of the Most Christian King; the said Vessels, Shipping, Merchandizes or Wares, shall in the Case above-mention'd be attack'd and taken by the Captains of Men of War, Privateers or other Subjects of the King of *Great Britain* and the Lords the States-General, and shall before proper Judges be condemn'd for lawful Prize.

III. It's agreed and concluded, that the said King of *Great Britain* and the said Lords the States, shall, as soon as possible, notify this Treaty and Convention to all the Kings, Princes and States of *Europe*, that are not in War against *France*; and that the said Kings, Princes and States, shall at the same time be inform'd, that if the Ships or Vessels of their Subjects are found, before this Notification is given, at Sea, making their way for the Ports, Havens or Roads, under the Obedience of the Most Christian King, they shall be oblig'd by the Ships of the King of *Great Britain* and of the Lords the States, forthwith to turn back: and if the Ships or Vessels, appertaining to those Kings, Princes and States, or to their Subjects, shall be met with sailing from the said Ports, laden with the Merchandizes or Commodities of *France*, the said Ships and Vessels shall be oblig'd to sail back to the said Ports, and there to leave the said Goods and Merchandizes, upon pain of forfeiture; and in case the Ships or Vessels of those Kings, Princes and States, or

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of their Subjects, shall after the said Notification, be found at Sea, and sailing towards the Ports, Havens, or Roads under the Obedience of the Most Christian King, or from the Ports of the said King, they shall be seized and forfeited together with their Cargo, and be reputed good Prize. And as to the Princes and Allies who are already at War with *France*; it's also agreed and concluded, that Notification shall be given them as soon as is before-mention'd, and that they shall be desired at the same time to concur with such methods as are so conducive to the common Interest, and give and execute such Orders as tend to the same End. The present Treaty shall be ratify'd by his Majesty and the Lords the States General, and the Ratification shall be exchange'd within the space of six Weeks, unless a Treaty of an Offensive and Defensive Alliance shall be concluded and sign'd between his Majesty and the said States-General before the expiration of that term; in which case this present Treaty shall be confirm'd and compris'd therein: In the mean time 'tis agreed and concluded, that all and every the Articles of this Treaty shall be executed on both sides, punctually and sincerely, in the same manner as if the Ratifications were exchanged. *Done at Whitehall, August $\frac{1}{2}$, 1689.*

Carmarthen.

Hallifax.

Shrewsbury.

Nottingham.

Wathem.

Schimmelpeninck.

Vander Oge.

N. Witsen.

W. de Nassau.

Arnoult Van Citters.

De Weede.

Secret ARTICLE.

IT has been agreed by and on both sides, that Notification shall forthwith be given of all the Contents of this Treaty, not only to the Ministers of the Kings, Princes and Potentates concern'd, that shall be resident at his Majesty's Court, and with the States-General; but also to those who are at the Courts of Foreign Kings, Princes and States respectively: and moreover it has been agreed, that in case either the one or the other Party shall be incommoded or molested by reason of the Execution of this present Treaty, or any Article thereof, his *Britannick* Majesty,

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jefty, and the High and Mighty Lords the 'States, do promise and oblige themselves to be Guarantee for and to one another upon that Account.

A Treaty of Friendship and Alliance between William III. King of Great Britain, and the Lords the States General of the United Provinces, in August 1689.

Here shall for the future be a sincere, firm and perpetual Friendship, and good Correspondence as well by Sea and Land, every where and in all Places, as well without as within *Europe*, between the King of *Great Britain* and his Successors, Kings of *Great Britain*, and their Kingdoms on the one part, and the Lords the States General of the United Provinces of the Low-Countrys, together with their Dominions, Provinces, and Subjects, reciprocally on the other part.

And to the end that this Friendship and good Correspondence may be the better confirm'd, and all difficultys remov'd, which may happen between both Partys, under what pretence soever they may be; It's agreed between the said King of *Great Britain* and the said Lords the States-General, that all the Treatys of Peace, Friendship, Alliance, Confederation, Commerce and Marine, hereafter named and specify'd, shall be approv'd and confirm'd both on the one and the other part, viz. The Treaty of Peace and Confederacy concluded at *Breda*, July $\frac{31}{17}$, 1667.

The Treatys of Navigation and Commerce, concluded at the same Time and Place.

The Treaty of Peace and Friendship, concluded at *Westminster*, February, the $\frac{2}{17}$, 167 $\frac{1}{2}$.

The Marine Treaty concluded at *London* the 10th of *October*, 1679. with a Declaration explaining divers Articles of the said Marine Treaty, February 17, 1667, concluded at the *Hague*, December the $\frac{20}{16}$, 1675.

An

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An Article for preventing and composing any Disputes which may arise between the *East India Companies* of *England* and *Holland*, concluded at *London*, *March* $\frac{2}{1}$, 167 $\frac{1}{2}$.

The *Defensive League*, concluded at *London*, *March* 3, 167 $\frac{1}{2}$.

Treaty of Concert between the *Fleets of England* and *Holland*, concluded *April* 29, 1689.

Treaty for prohibiting any *Commerce* with *France*, concluded *August* $\frac{2}{2}$, 1689.

All the said *Treatys*, and all and every Article contain'd in them, are effectually approved and confirmed by this present *Treaty*, and shall remain in their Original Force and Vigour, as if they had been inserted here word for word, so far as they do not contradict or derogate from one another, or this present *Treaty*; in such a manner that the Points and Matters stipulated by a newer *Treaty*, shall be fulfill'd in the proper time, without regard had to an older *Treaty*: moreover there shall be between his Majesty and his Successors, and the Lords the States General, their Subjects and Inhabitants reciprocally, a strict Alliance and sincere Confederacy, in order to the mutual support and preservation of each other in Tranquillity, Peace, Friendship and Neutrality by Sea and Land, and for the maintaining of each other in the possession of all the Rights, Franchises and Libertys, they do or have a Right to enjoy, or such as they shall acquire or shall be acquired for them, by the *Treatys* of Peace, Friendship and Neutrality, which heretofore have been made, or shall be made for the future, conjointly and in concert with other Kings, Republicks and Citys; the whole however to be confined within the boundaries of *Europe* only. And they do promise and oblige themselves not only to be reciprocally Guarantees of all the *Treatys* which his Majesty or his Predecessors, and the said Lords the States General have already made with other Kings, Republicks, Princes and States, which shall be produc'd on the one and the other part, before the exchange of the Ratification; but also of all those which they may make for the future in mutual Concert and by common Consent; and also to defend the said *Treatys*, and to assist and continually preserve each other in the possession of the Territorys, Citys, and Places that now do, or hereafter shall belong as well to his Majesty and Successors, the Kings of *Great Britain*, as to the Lords the States General, in what part soever those

those Territorys, Citys and Places are situated, in case his Majesty and the said States-General shall, in any case, as aforesaid, happen to be molested or attack'd by any hostile Act, or an open War, be it under what pretence soever it will; upon which occasion they shall regulate themselves on both sides, according to what is stipulated in the foremention'd Treaty, concluded on the third of *March, 1672*.

And as the said King of *Great Britain* and the said Lords the States are at this time engag'd in a War against *France*, and that the King of *Great Britain* and the States do find they are under a mutual Obligation of aiding and defending one another, as also of reciprocally maintaining their Countrys and Subjects in their Possessions, Immunities and Libertys, and likewise Navigation and Commerce, and all other Rights whatsoever, as well by Sea as by Land, towards and against all Kings, Princes and States, and particularly against the said Most Christian King; and to the end they may the better attain to a just and honourable Peace, by which the Repose and Tranquillity of *Europe* may be establish'd: It's agreed between the said King of *Great Britain*, and the said Lords the States, that neither of the said Allies shall make any Suspension of Arms, Truce or Peace with the said Most Christian King, nor with any other King, Prince or State, by whom either the one or the other of the Allies shall be molested or attack'd, but conjointly or by common Consent. And as the said King of *Great Britain*, and the said States-General, have already agreed on a Treaty by which they are for this Year to act in concert with their Forces against the said Most Christian King; it's agreed and concluded that they shall forthwith concert other Articles and Stipulations, concerning the Number and Employing of their Troops and Men of War, in such a manner as shall be thought most proper for them to act with the greatest Success against the Common Enemy.

Moreover, it's agreed between the said King and the said States, that if after the Peace which shall conjointly and by common Consent be made with the Most Christian King, as before stipulated; and that after that, either one or the other Party comes to be attack'd again by the Most Christian King; in that case, the Treaty of Alliance and Guaranty, concluded at *Westminster* on the 3d of *March 1672*, between *England* and the said Lords

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the States, and which is also approv'd and confirm'd by this present Treaty, shall then subsist in the full extent of it, and be executed in all its Points and Articles, as if the same or the like Treaty had been made anew, or since the conclusion of the Peace with the Most Christian King, but with this variation only, that if the War happens according to the Case mention'd in the Article of this Treaty, neither of the said Allies shall agree to any Cessation of Arms with the said Most Christian King, or any other Assailant, but conjointly and by common consent. All Kings, Princes, and States, who have a mind to it, shall be comprehended in this Treaty, before the Exchange of the Ratification, or six Months after, with the common Consent of the said King and States.

The present Treaty shall be approv'd and ratify'd by the said King and the said States-General, and the Ratification shall be exchange'd on both sides, in due and proper form, within the term of six Weeks, or sooner, if it can be done: In witness whereof we the Ambassadors, &c. by virtue of our respective Powers, have sign'd these Presents, and put to our Seals, at *Whitehall*, in *August* 1689.

*A Treaty of Peace between Lewis XIV.
King of France, and Victor Amadeus
II. Duke of Savoy, concluded at Turin,
August 29, 1696.*

THE Most Christian King having all along this War maintain'd a sincere desire of promoting the Quiet of *Italy*, and it having pleased Almighty God to inspire his Royal Highness with the same Thoughts, his Majesty has given his full power, Commission and Command to the *Sieur Rene de Trouillay*, Count de Tesse, Knight of the Orders of the King, Lieutenant-General of his Armies, Colonel General of the Dragoons of *France*, Governor of *Ypres*, Lieutenant General of the King in the Provinces of *Maine* and *Perche*, and at present commanding for the King in the Countrys and Places on the Frontiers

Frontiers of *Piedmont*; his Royal Highness having likewise on his part given his Power and Command to the *Sieur Charles Victor*, Marquess de *St. Thomas*, Minister of State, and his said Royal Highness's Principal Secretary of State: The said Plenipotentiarys, having reciprocally exchange'd the Original of their Commissions, by virtue of which they treat, have agreed to the following Articles.

I. That there shall be from henceforth and for ever, a firm and sincere Peace between the King and his Kingdoms, and his Royal Highness the Duke of *Savoy* and his Dominions, as if the same Peace had never been interrupted: and the King resuming the same Sentiments of Bounty he hath heretofore had for his Royal Highness which he desires his Royal Highness to be persuaded of, his Royal Highness does by this present Treaty intirely renounce all Engagements and all Treatys made with the Emperor, and with the Kings and Princes comprehended under the name of the League or Confederacy, and doth undertake to imploy all his Endeavours, and to do all that lies in his power in order to obtain of those Sovereign Powers, at least of the Emperor and King of *Spain*, a Neutrality for *Italy*, till the general Peace be concluded, and to signify their Consents by a perpetual Treaty, which shall be made for that purpose, or for want of such a Treaty by Declarations, which the said Emperor and King of *Spain* shall make to the Pope, and to the Republick of *Venice*; and which shall be at the same time follow'd by the Retreat and withdrawing of all the Forces which the Allys have at present in *Italy*, as it shall hereafter be more particularly specify'd. And in case the above-mention'd Princes do not consent to a Neutrality in *Italy*, at his Royal Highness's Instance to the Emperor and to the King of *Spain*, his Royal Highness doth engage in an offensive and defensive League with the King, till a general Peace be concluded, to act jointly with his Majesty's and his own proper Force, as becomes good and sincere Allys, for the common Interest, and to make War against the State of *Milan*, and against all those who shall oppose this present Treaty's taking effect. And as an evident Demonstration of the Return of the King's Amity towards his Royal Highness, his Majesty does willingly consent, and doth promise, that the City and Citadel of *Pignerol*, the Fort of *St. Bridget*, the *Perouse*, with other Forts depending on the same, shall be demolish'd as to the Fortifications only at the King's Charges; and after the aforesaid Fortifications are demo-

lish'd, they shall all be restor'd to his Royal Highness, as well as the Territorys and Dominions compriz'd under the name of the Government of *Pignerol*, and which did belong to the House of *Savoy* before the Cession or Surrender that *Victor Amadeus*, the first Duke of that Name, made to *Lewis XIII.* the which City, dismantled Citadel, and demolish'd Forts and Territorys, shall be likewise surrender'd to his Royal Highness, to be held in Sovereignty, and to be enjoy'd fully and perpetually by him and his Successors, from henceforth, as to him of Right belonging; by virtue of which present Surrender, His Royal Highness doth engage and promise, as well for himself, his Heirs and Successors, or by others any ways claiming, neither to rebuild nor cause to be rebuilt the aforesaid Fortifications, nor to cause any new ones to be built upon, and in the space and limits of the said Territorys, Funds and Rocks; neither in any Place whatsoever, so surrendred by this present Treaty, according to which his Royal Highness, or the Inhabitants of the said Town of *Pignerol*, shall be allow'd to inclose it with a bare wall only, not terrass'd and without Fortifications: That notwithstanding these mention'd, his Royal Highness shall be free to build any strong Places and Fortifications in the said Territorys now deliver'd up, as he thinks fit, without the King's taking any exception at it. That moreover the King shall restore to his Royal Highness the Countrys, Castles and Places of *Montmelian*, *Nice*, *Villa Franca* and *Susa*, and all other the conquer'd Places, without exception, entire and undemolish'd or damag'd, and with the same quantity of Ammunitions of War, Provisions, Stores, Cannon and Artillery; and such Places to be left furnish'd as they were when they fell into his Majesty's hands, and so that the Buildings, Fortifications and Improvements made by his Majesty, shall not be touch'd, but left as they are. After the said Places are restor'd, it shall be lawful for his Royal Highness to repair and enlarge the Fortifications, as things belonging to himself: That the King may not therefore molest him, or be displeas'd thereat. Provided nevertheless, that the King shall carry off from *Pignerol* all the Artillery, Ammunition of War and Provisions, Arms, and all movable Effects belonging to him, of what nature soever they be. That as for the Revenue and Incomes of *Pignerol*, and its Dependences, the King does yield them up to his Royal Highness, in the same manner as the King enjoys them at present; and the

Leases or Settlements, which the King has made of any of the said Lands, shall stand good according to the Form of the respective Contracts, Tenures or Acquisitions. That the said Restitution of these Countreys and Places belonging to his Royal Highness, as also the delivery of *Pignerol*, with its Dependences above-mention'd, shall be made after the signing of this present Treaty, the Foreign Troops being first quite retir'd out of *Italy*, and after the *Germans*, the Troops of *Bavaria*, *Brandenburg*, Protestants in the *English* Pay, and other Auxiliary Troops, are actually arriv'd in *Germany*; and that the *Spaniards*, and others which are paid by his Catholick Majesty, are retir'd into the Dutchy of *Milan*: so that the Execution of any of these Articles, nor the Restitution of any of these Places, shall not take effect, till after the said Troops are all of them, and intirely retired, in such manner as has been now express'd; which notwithstanding is so to be understood, as that the Evacuation of the said foreign Troops out of *Italy* shall be deem'd to be fully compleated, tho the *Spaniards* should take, as possibly they may, some out of those foreign Regiments, to fill up those that are in their own pay; or that some of those foreign Troops should lift themselves, and enter on the Territorys of the Republick of *Venice*, it shall be taken as if they were arriv'd in *Germany*, as soon as they are on the *Venetian* Ground, and are deliver'd over to the Service of that Commonwealth. And after the Ratification of this Treaty, Labourers shall be immediately set at work, to sink Mines, and to do all other things that are necessary to the demolishing of the said City, Citadel and Forts of *Pignerol*. But in case his Royal Highness should think fit to keep this Treaty yet as a Secret, even beyond the time limited for the said Ratification, it's agreed, that to avoid the noise which the working of such Mines might create, they shall be begun but at such a time after the Ratification as his Royal Highness shall think fit. The said demolishing Work shall continue and go forward in such a manner, as that in two or three Months after the Evacuation by the said Troops above-mention'd, all shall be deliver'd up into his Royal Highness's hands; whereupon it shall be allow'd to send a Commissary to assist upon the Place, till the compleating of the said Work. His Majesty is also willing, for his Royal Highness's greater Satisfaction, to send him, when he shall require it, two Dukes and Peers of *France*, to remain as Hostages in his Royal Highness's hands.

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hands, who shall treat them according to the Dignity of their Rank.

II. His Majesty shall make no Treaty of Peace or Truce with the Emperor, or the King of *Spain*, without comprehending his Royal Highness in suitable and effectual Terms: and the present Treaty, as well as those of *Querasque*, *Munster*, *Pyrennees* and *Nimeguen*, shall be included in the General Peace, not only as to the Four Hundred Ninety Four Thousand Crowns of Gold (which are particularly mention'd in that of *Munster*, in discharge of his Royal Highness, and for which the King continues still a Guarantee to the Duke of *Mantua*) but also as to all other Matters contain'd in the said Treatys, and contrary to the present Treaty, which are to be irrecoverable, and to remain in full force and validity, notwithstanding the present delivery of *Pignerol* and its Dependences. And as for other Interests, Claims or Pretensions, which concern the Duke of *Savoy*, his Royal Highness reserves to himself a power of treating about them, by way of Protestation, Memorials, or by Envoys, so that this Treaty may no way be prejudicial to the said Protestations.

III. That a Marriage between the Duke of *Burgundy* and the Princess his Royal Highness's Daughter, shall be treated of out of hand, to be consummated when they are at Age, and the Contract between them to be made as soon as this present Treaty takes effect; after Publication whereof, the Princess shall be put into the King's hands: That in the said Marriage-Contract, which shall be consider'd as an essential part of this Treaty, and wherein the Princess shall make the usual Renunciations, with a promise to pretend to nothing of his Royal Highness's Estate or Succession further than the following Portion, his Royal Highness shall give as a Portion to his Daughter Two Hundred Thousand Crowns of Gold; towards the payment of which his Royal Highness shall give a discharge of One Hundred Thousand Crowns of Gold, which remain'd due by *France* to the House of *Savoy*, as part of the Dutches's Royal's Portion, together with the accruing Interest of the said Sum which was also promis'd to be paid: And the Remainder (*viz.* One Hundred Thousand more, which the Duke of *Savoy* shall pay to *France*, to make up the Portion aforesaid) the King doth remit, in consideration of the present Treaty: His Royal Highness engaging moreover, to give to the Princess his Daughter, at the Celebration of the Marriage, that which

which in the Language of *Piedmont* is call'd the *Fardle*, and in *French* the *Bundle*, or Marriage-present for Clothes; and in the Contract of Marriage, the Dowry shall be agreed upon, which the King will give according to the Custom of *France*.

IV. That his Royal Highness, renouncing for this present time truly, effectually and sincerely, as he hath done in the foremention'd Articles, all the Engagements which he might have had with the Enemys, doth likewise hope that his Majesty will answer thereunto with all the Sentiments which his Royal Highness craves and wishes for; and that having the honour of being so nearly related to the King, and entering into a new and glorious Alliance with him, his Majesty doth grant and promise to his Royal Highness, as he does demand, his powerful Protection as formerly, in all its extent. And as his Royal Highness is desirous to maintain a perfect Neutrality with the Kings, Princes and Sovereign Powers, who are at present his Allys, his Majesty doth promise not to put any manner of Restraint on the Inclinations his Royal Highness hath of continuing and using towards them all the external measures of Decency and Freedom that are becoming a Sovereign Prince, who hath Ambassadors and Envoys at the Courts of those Princes, and receives and entertains at his own Court Envoys and Ambassadors from them; and that the King shall not take ill his so doing, comprehending under the word *Princes*, the Emperors, Kings and Sovereign Powers of *Europe*.

V. His Majesty doth engage and declare, That the ordinary and extraordinary Ambassadors of *Savoy* shall receive at the Court of *France* all the Honours without exception, and with all the Circumstances and Ceremonys, that are paid to the Ambassadors of Crown'd Heads; that is to say, they shall be receiv'd as Ambassadors from Kings: and that his Majesty's ordinary as well as extraordinary Ambassadors in all the Courts of *Europe*, without exception, and even the King's Ambassadors at *Rome* and *Vienna*, shall likewise treat and use the said Ordinary and Extraordinary Ambassadors and Envoys from *Savoy*, as they do those from Kings and crown'd Heads. But in regard that this Addition of Honour, as to the Treatment of Ambassadors from *Savoy*, has been never hitherto settled, nor rais'd to that degree that his Majesty doth now allow it; his Royal Highness is sensible and doth acknowledg, that it is in consideration of this Treaty or Contract of Marriage of the Duke of *Burgundy*

gundy with the Princess his Daughter; and his Majesty doth promise, that this Augmentation of Honour shall take place from the day that the aforesaid Treaty of Marriage is sign'd.

VI. That the Trade between *France* and *Italy* shall be renew'd and maintain'd in the same manner as it was settled before this War, from the time of *Charles Emanuel II.* his Royal Highness's Father: and the same shall be observ'd and practis'd in all Points and in all Places, between the Kingdom and the several Parts of his Majesty's Dominions, and those of his Royal Highness, which was us'd and practis'd, in all things in the Life-time of the said *Charles Emanuel II.* on the Roads of *Susa* in *Savoy*, and *Pont Beauvoisin*, and *Villa Franca*, every one paying the Dutys and Customs on both sides. The *French* Ships shall continue to pay the antient Dutys at *Villa Franca*, as they were wont to be paid in the time of the said *Charles Emanuel*; about which there shall be no Contest nor Opposition made, any more than us'd to be done in those Days. The Couriers and ordinary Posts of *France* shall pass, as formerly, thro' his Royal Highness's Estates and Countrys; and according to the Regulations there, they shall pay the Dutys for the Merchandizes wherewith they shall be charg'd.

VII. His Royal Highness shall cause an Edict to be publish'd, by which he shall, upon the Penalrys of severe corporal Punishments, forbid the Inhabitants of the Valleys of *Lucern*, call'd the *Vaudois*, to have any Communication in Matters of Religion with the King's Subjects; and his Royal Highness shall engage, not to suffer at any time after the date of this Treaty, any of his Majesty's Subjects to make any Settlement in the Protestant Valleys, under colour of Religion, or of Marriage, or for any other pretence of Settlement, Conveniency, taking possession of Inheritances, or any other pretence whatsoever; and that no Protestant Minister shall come thence into any of his Majesty's Dominions, without incurring the severest corporal Punishments. That however his Majesty shall take no cognizance of his Royal Highness's Conduct towards the *Vaudois*, in regard of their Religion, yet his Royal Highness shall be bound not to suffer the Exercise of the Reform'd Religion in the City of *Pignerol*, nor in the Territorys that are restor'd to his Royal Highness, in like manner as his Majesty neither doth, nor will allow the Exercise of it in his Kingdom.

VIII. That there shall be on both sides a perpetual Act of Oblivion and Indemnity, of all that has been done since the beginning of this War in what Place soever the Acts of Hostility have been committed: That in this Act of Grace all those shall be comprehended who have serv'd his Majesty, in what Station soever, as tho they were his Royal Highness's Subjects, so that no Prosecution shall be made against them; neither shall they be molested, either in their Persons or Estates, by Reprisals, Executions or judicial Processes, or upon any pretence whatsoever; and the King's Subjects that have serv'd his Royal Highness, shall be us'd in the like manner.

IX. That for Ecclesiastical Benefices, in such Parts of his Royal Highness's Country as have been conquer'd by the King, having been fill'd up from time to time as the same became vacant, during the time that his Majesty possess'd the said Countrys; it's agreed, that the said Collation to Benefices shall be valid, and the Persons who have been promoted by the King, and invested by the Authority of the Pope's Bulls, shall remain in full Possession thereof. But as to the Promotions to the Livings belonging to the Military Order of St. *Maurice*, to the Places of Judicature or Magistracy, his Royal Highness shall have liberty to alter the Nominations made by the King: and all Grants made by his Royal Highness, of Offices in the Law, become vacant by the Persons leaving them, shall remain good and valid.

X. As for Contributions that were impos'd on the Lands of his Royal Highness's Dominions, altho they are lawfully impos'd and are become due, and that they amount to considerable Sums, his Majesty does out of his Liberality fully discharge his Royal Highness of them; so That from the day of the Ratification of this Treaty, the King will not pretend to, nor require any of the said Contributions, leaving his Royal Highness in full possession of his Revenues throughout his Dominions, as well as in *Savoy*, *Nice*, *Pignerol* and *Suza*; his Royal Highness, on the other side, not demanding any Contribution of the King.

XI. As to the Pretensions of the Dutchess of *Nemours* on his Royal Highness, his Majesty leaves those Controversys to be determin'd among themselves by due course of Law, without concerning himself farther therein.

XII. That it shall be lawful for his Royal Highness to send Intendants and Commissarys into *Savoy*, the Country of *Nice*, the Marquisate of *Suza* and *Barcellona*, into *Pignerol*

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nerol and its Dependences, in order to regulate his Interests, Rights and Revenues, and to settle his Customs and Excises upon Salt and other things; and the said deputed Persons shall be admitted and authoriz'd in their Offices, immediately after the Ratification of this present Treaty: after which, the said Dutys shall belong to his Royal Highness, without Exception or Contradiction.

XIII. That if the Neutrality for *Italy* be accepted, or that a general Peace be concluded, as in such cases a great many Troops would become useless and chargeable to his Royal Highness; and that besides the excessive Charges requisite for the maintaining them, they commonly become an occasion of creating a Misunderstanding among Princes, when more Troops are kept on foot than are necessary in a State, either for its own Conservation, or for the maintaining the Dignity of a Sovereign Prince; his Royal Highness doth therefore oblige himself, not to keep in times of Neutrality any more than Six Thousand Foot on this side the *Alps*, and One Thousand Five Hundred on the other side of the Mountains, for the Garisons of *Savoy* and of the County of *Nice*, and One Thousand Five Hundred Horse or Dragoons: and this Obligation is to continue only till the general Peace is concluded.

We the above-mention'd Plenipotentiarys have agreed upon, and sign'd these present Articles; and we do promise and engage to procure them to be ratify'd and confirm'd by his Majesty and his Royal Highness; promising likewise, that they shall be kept secret to the end of *September* next: and if at that time new Articles are made to the same sense and purpose, then these shall be suppress'd. Dated at *Turin*, the 29th of *August*, 1696.

Rene de Trouillay Tesse.

St. Thomas.

The French King's Act of surrendering the Country of Savoy to the Duke.

BE it known to all Persons whatsoever, That in pursuance to a Treaty of Peace made and sign'd between his most Christian Majesty *Lewis XIV.* King of *France* and *Navarre*, on the one part, and his Royal Highness *Victor Amadeus II.* Duke of *Savoy*, Prince of *Piedmont*, King of *Cyprus*, &c. on the other part; His most Christian Majesty hath given order to Monsieur *Anthony Balthasar*, Marquess de
I
Thoy,

Thoy, Major General of the Armys of *France*, and Governor of *Savoy*, to restore entirely to his Royal Highness all the Countrys, Places, Castles and Fortresses of all *Savoy*, except *Montmelian*, and to draw out all the Troops that are there, pursuant to his Majesty's Letters Patent. To this end, his Royal Highness hath sent the Marquess *de Thana*, Captain of his Life-guards, Major General of his Army, and Governor of *Savoy*, with a Power to receive in his Royal Highness's name, all the Estates and Places. The said Marquess *de Thoy* having therefore personally appear'd in the Council Chamber of the Town-hall of *Chambery*, and having there assembled the Nobility, the Syndicks and Counsellors of the said City; and the said Marquess of *Thana* there likewise appearing, did then and there receive from the said Marquess *de Thoy* an absolute and full Surrender, in the Name of his most Christian Majesty, of all the Countrys, and of all the Places of the Dutchy of *Savoy*, *Montmelian* only excepted, according to the Treaty of Peace; the said Marquess *de Thoy* expressing the same in the following Words, *viz.* My Lord Marquess *de Thana*, in pursuance of an Order from the King my Master, and according to the Power you have also receiv'd from his Royal Highness, I do hereby make an entire Surrender and Restitution to his Royal Highness, in the Person of all the Countrys and Places and of all the Dependences of the Estates of *Savoy*, *Montmelian* excepted; and his Royal Highness may accordingly dispose of the same in like manner as he hath done before those Estates were conquer'd by the King's Arms. To which the Marquess *de Thana* answer'd, that he receiv'd, in his Royal Highness's Name, the aforesaid Countrys, Places and Dependences. This done, the Marquess *de Thoy* once more repeated the Words of the said Surrender, and then went out of the Town-house. Of all the aforesaid Transactions, both the Marquess of *Thoy* and *Thana*, caus'd an Act to be made before publick Notarys, which was sign'd,

As Witnesse.

Favre de Charmettes.

Terin.

Cagnet.

Tonce.

Thoy de Pisen,

and Marquess *de Thana.*

J. Jasper Chambet, Notary and Burgeiss of *Chambery*, has receiv'd and past the present Act as requir'd. Sign'd,

J. Chambet, Not.

Montmelian was afterwards surrendred to the Duke of *Savoy*.

A

A Treaty of a Cessation of Arms, till a General Peace, between the Emperor Leopold, Charles II. King of Spain, and Victor Amadeus II. Duke of Savoy; concluded at Vigenano, Octob. 7, 1696.

THEIR Imperial and Catholick Majestys being inclin'd, as an effect of their Goodness, to have regard to the repeated Representations and Intreatys of his Royal Highness of *Savoy*, and being at the same time concern'd for what his Territorys have suffer'd during the course of the War, have at last been brought to agree and approve, that his Excellency the Count and Prince of *Mansfield*, and his Excellency the Marquess *de Leganez*, on the one part, being furnish'd with full Powers from their Imperial and Catholick Majestys; and the Marquess *de St. Thomas*, Minister and first Secretary of State to his Royal Highness on the other part, furnish'd likewise with full Power, should agree upon these following Articles.

I. As the chief design and aim is the Relief of his Royal Highness, and the Repose that will accrue to all his Neighbours; the said Plenipotentiarys have reciprocally engag'd to his Royal Highness, and his said Royal Highness to the most August House of *Austria* on the one part, and to his most Christian Majesty on the other, that there shall be from henceforward a Cessation of Arms, till a general Peace is made; all Acts of Hostility being reciprocally to cease from this day: and consequently, the Siege of *Valentia* shall be broke up at farthest after to Morrow.

II. And to the end these Provinces may not be disturb'd in their Tranquillity, by keeping up on each side the Troops that are at War, both Partys have mutually promis'd his Royal Highness, that their Arms and Troops, as well their own as the Auxiliarys, shall at the same time march away proportionably to their number in order to go into their own Country; provided that when his Royal Highness shall be assur'd on the one part, of the Accomplishment

plishment of the Offers which have been made him, 'tis but just that *France* also on her part should entirely accomplish that which concerns the common Safety and publick Tranquillity, and not continue in a posture to disturb the same by the actual Possession of the Citadel of *Pignerol*, the Castle of *Montmelian* and *Susa*; but that every thing contain'd in the preceeding Treaty shall be perform'd on either side in as short time as 'tis possible to be done. And for the greater Security, that this Agreement shall not be contraven'd by either of the Partys; and that the Cessation of Arms may continue till the Conclusion of a general Peace, his Royal Highness obliges himself with the consent of both Partys, to declare War, and to take up Arms against him that is the Defaulter, whether in part or in the whole; and this he engages irrevocably to do, till the Conclusion of the general Peace.

III. His Imperial Majesty finding he must be at a great Expence for the march of his Troops, and being not able to withdraw them out of *Italy*, to assign them Quarters in *Germany*, without doing himself a great prejudice, it's agreed, that the Princes of *Italy*, viz. the Grand Duke of *Tuscany*, the Dukes of *Mantua*, *Parma* and *Modena*, with other Inferior Dukes, as also the Republick of *Genoa*, shall be oblig'd, according to the Repartition made, to pay the Sum of three Hundred Thousand Pistoles, whereof one Hundred Thousand shall be paid down, the other two within a certain time limited, with sufficient Security for the same; and his most Christian Majesty does engage to concern himself, neither directly nor indirectly, on their behalf, in order to get the Payment of the Sum excus'd; promising to make no manner of opposition, directly or indirectly, to the method us'd to oblige the Refusers to pay their Quota. And to the end that the March of the Imperial and Auxiliary Troops may not be retarded thereby, his Royal Highness, and his Excellency the *Marquess de Leganez*, shall be oblig'd to concur to get the said Payment actually made.

IV. Having due regard to the length of time, the Powers interested herein, and the great Security that all above-contain'd shall be actually accomplish'd; it's agreed, That Hostages shall be given on both sides; and that they will reciprocally give Hostages, who shall be put into the hands of his Royal Highness, and he be oblig'd not to send them home till the whole is accomplish'd: And they shall begin to put every thing in Execution as soon as possible; and

all these things the most August House doth declare they do consent to, without intending or supposing that they have done any thing thereby on their part, which may make any Difference or Separation between the Allies.

V. The said Plenipotentiarys do promise to produce the Ratifications of this present Treaty; viz. his Excellency the Prince and Count of *Mansfield*, that of his Imperial Majesty in a Month; his Excellency the Marquess of *Leganez*, that of the Catholick King in two Months; and the Marquess of *St. Thomas*, that of his Royal Highness in two Days. Done at *Vigenano*, the 7th of *Octob.* 1696.

Articles of Peace between the most Serene and Mighty Prince William III. King of Great Britain, and the most Serene and Mighty Prince Lewis XIV. the most Christian King; concluded in the Royal Palace at Reswick, the $\frac{1}{2}$ day of Sept. 1697.

I. **T**HAT there be an universal and perpetual Peace and a true and sincere Friendship, between the most Serene and Mighty Prince *William III.* King of *Great Britain*, and the most Serene and Mighty Prince *Lewis XIV.* the most Christian King, their Heirs and Successors, and between the Kingdoms, States and Subjects of both; and that the same be so sincerely and inviolably observ'd and kept, that the one shall promote the Interest, Honour and Advantage of the other: and that on both sides a faithful Neighbourhood, and true Observation of Peace and Friendship, may daily flourish and encrease.

II. That all Enmitys, Hostilities, Discords and Wars, between the said King of *Great Britain* and the most Christian King, and their Subjects, cease and be abolish'd; so that on both sides they forbear and abstain hereafter from all Plundering, Depredation, Harm-doing, Injuriys and Infestation whatsoever, as well by Land as by Sea, and on fresh Waters every where; and especially throughout all the Kingdoms,

Kingdoms, Territorys, Dominions and Places belonging to each other, of what Condition soever they be.

III. That all Offences, Injurys, Damages, which the said King of *Great Britain* and his Subjects, or the said most Christian King and his Subjects have suffer'd from each other during this War, shall be forgotten; so that neither on account of them, or for any other cause or pretence, neither Party, or the Subjects of either, shall hereafter do, cause or suffer to be done any Hostility, Enmity, Molestation or Hindrance to the other, by himself or others, secretly or openly, directly or indirectly, by colour of Right or way of Fact.

IV. And since the most Christian King was never more desirous of any thing than that the Peace be firm and inviolable, the said King promises and agrees for himself and his Successors, that he will on no account whatsoever disturb the said King of *Great Britain*, in the free possession of the Kingdoms, Countrys, Lands or Dominions which he now enjoys; and therefore engages his Honour, upon the Faith and Word of a King, that he will not give or afford any Assistance, directly, or indirectly, to any Enemy or Enemies of the said King of *Great Britain*; and that he will in no manner whatsoever favour the Conspiracys or Plots which any Rebels, or ill-dispos'd Persons, may in any Place excite or contrive against the said King: and for that end promises and engages, That he will not assist with Arms, Ammunition, Ships, Provisions or Money, or in any other way, by Sea or Land, any Person or Persons, who shall hereafter, under any pretence whatsoever, disturb or molest the said King of *Great Britain*, in the free and full Possession of his Kingdoms, Countrys, Lands and Dominions. The King of *Great Britain* likewise promises and engages for himself and Successors, Kings of *Great Britain*, That he will inviolably do and perform the same towards the said most Christian King, his Kingdoms, Countrys, Lands, and Dominions.

V. That there be a free use of Navigation and Commerce between the Subjects of both the said Kings, as was formerly in the time of Peace and before the Declaration of the late War, so that every one of them may freely come into the Kingdoms, Marts, Ports and Rivers of either of the said Kings with their Merchandizes, and may there continue and Trade without any Molestation; and shall use and enjoy all Libertys, Immunitys and Privileges granted by solemn Treatys and antient Customs.

VI. That

VI. That the ordinary Administration of Justice shall be restor'd and set open throughout the Kingdoms and Dominions of both Kings; so that it shall be free for all the Subjects of either to claim and obtain their Rights, Pretensions and Actions, according to the Laws, Constitutions and Statutes of each Kingdom.

VII. The most Christian King shall restore to the said King of *Great Britain*, all Countrys, Islands, Forts and Colonys wheresoever situated, which the *English* did possess before the Declaration of this present War; and in like manner the King of *Great Britain* shall restore to the most Christian King all Countrys, Islands, Forts and Colonys, wheresoever situated, which the *French* did possess before the said Declaration of War. And this Restitution shall be made on both sides, within the space of six Months, or sooner, if it can be done. And to that end immediately after the Ratification of this Treaty, each of the said Kings shall deliver, or cause to be deliver'd to the other, or to Commissioners authoriz'd in his Name for that purpose, all Acts of Concession, Instruments, and necessary Orders, duly made and in proper Form, so that they may have their Effect.

VIII. Commissioners shall be appointed on both sides, to examine and determine the Rights and Pretensions which either of the said Kings hath to the Places situated in *Hudson's Bay*: But the Possession of those Places which were taken by the *French* during the Peace that preceded this present War, and were retaken by the *English* during this War, shall be left to the *French* by virtue of the foregoing Article. The Capitulation made by the *English* on the fifth of *September*, 1696. shall be observ'd, according to its Form and Tenor; Merchandizes therein mention'd shall be restor'd; the Governor of the Fort taken there shall be set at liberty, if it be not already done; the Differences arisen concerning the Execution of the said Capitulation, and the value of the Goods there lost, shall be adjudged and determin'd by the said Commissioners, who immediately after the Ratification of the present Treaty shall be invested with sufficient Authority for settling the Limits and Confines of the Lands to be restor'd on either side by virtue of the foregoing Article, and likewise for exchanging of Lands, as may conduce to the mutual Interest and Advantage of both Kings.

And

And to this end the Commissioners, so appointed, shall within the space of Three Months from the time of the Ratification of the present Treaty, meet in the City of *London*; and within Six Months, to be reckon'd from their First Meeting, shall determine all Differences and Disputes which may arise concerning this matter: After which, the Articles the said Commissioners shall agree to, shall be ratify'd by both Kings, and shall have the same Force and Vigour, as if they were inserted Word for Word in the present Treaty.

IX. All Letters, as well of Reprisal as of Marque and Counter-Marque, which hitherto have for any cause been granted on either side, shall be, and remain null and void: Nor shall any the like Letters be hereafter granted by either of the said Kings against the Subjects of the other, unless it be first made manifest, that Right hath been deny'd; and it shall not be taken for a denial of Right, unless the Petition of the Person, who desires Letters of Reprisal to be granted to him, be first shewn to the Minister residing there on the part of the King, against whose Subjects those Letters are desired; That within the space of Four Months or sooner, he may inquire into the contrary, or procure that Satisfaction be made with all speed from the Party offending, to the Complainant. But if the King against whose Subjects Reprisals are demanded, have no Minister residing there, Letters of Reprisal shall not be granted till after the space of Four Months, to be reckon'd from the day on which his Petition was made and presented to the King against whose Subjects Reprisals are desired, or to his Privy-Council.

X. For cutting off all matter of Dispute and Contention, which may arise concerning the Restitution of Ships, Merchandises, and other movable Goods, which either Party may complain to be taken and detain'd from the other, in Countrys, and on Coasts far distant, after the Peace is concluded, and before it be notify'd there; All Ships, Merchandises, and other movable Goods, which shall be taken by either side, after the Signing and Publication of the present Treaty, within the space of Twelve Days in the *British* and *North* Seas, as far as the Cape *St. Vincent*; within the space of Ten Weeks beyond the said Cape, and on this side of the *Equinoctial Line* or *Equator*, as well in the Ocean and *Mediterranean Sea* as elsewhere; Lastly within the space of Six Months be-

yond the said Line throughout the whole World, shall be long and remain unto the Possessors, without any exception or further distinction of Time or Place, or any Consideration to be had of Restitution or Compensation.

XI. But if it happens thro' Inadvertency or Imprudence, or any other Cause whatever, that any Subject of either of the said Two Kings shall do or commit any thing by Land or Sea, or on Fresh Water, any where, contrary to the present Treaty, or that any particular Article thereof is not fulfill'd; this Peace and good Correspondence between the said Two Kings shall not on that account be interrupted or infringed, but shall remain in its former Force, Strength and Vigour, and the said Subject only shall answer for his own Fact, and undergo the Punishment to be inflicted, according to the Custom and Law of Nations.

XII. But if (which God forbid) the Differences now composed between the said Kings should at any time be renew'd, and break out into open War, the Ships, Merchandises and all kind of movable Goods of either Party, which shall be found to be and remain in the Ports and Dominions of the adverse Party, shall not be confiscated or brought under any Inconveniency, but the whole space of Six Months shall be allow'd to the Subjects of both of the said Kings, that they may carry away and transport the foresaid Goods, and any thing else that is theirs, whether they shall think fit, without any molestation.

XIII. For what concerns the Principality of *Orange*, and other Lands and Dominions belonging to the said King of *Great Britain*; the separate Article of the Treaty of *Nimeguen*, concluded between the most Christian King and the States General of the United Provinces the 10th day of *August* 1678. shall according to its Form and Tenor, have full effect; and all things that have been innovated and alter'd, shall be restor'd as they were before. All Decrees, Edicts, and other Acts of what kind soever they be, without exception, which are in any manner contrary to the said Treaty, or were made after the conclusion thereof, shall be held to be null and void, without any revival or consequence for the future: And all things shall be restor'd to the said King in the same state, and in the same manner, as he held and enjoy'd them before he was dispossest'd thereof in the time of the War, which was ended by the said Treaty of *Nimeguen*, or which he ought to have

have held and enjoy'd according to the said Treaty. And that an end may be put to all Tronble, Differences, Processes and Questions, which may arise concerning the same, both the said Kings will name Commissioners, who with full and summary Power may compose and settle all these matters. And forasmuch as by the Authority of the most Christian King, the King of *Great Britain* was hindred from enjoying the Revenues, Rights and Profits, as well of his Principality of *Orange* as of other his Dominions, which after the conclusion of the Treaty of *Nimeguen*, until the Declaration of the present War, were under the Power of the said most Christian King, the said most Christian King will restore, and cause to be restor'd in reality with effect, and with the interest due, all those Revenues, Rights and Profits, according to the Declarations and Verifications that shall be made before the said Commissioners.

XIV. The Treaty of Peace concluded between the most Christian King, and the late Elector of *Brandenburgh* at *St. Germans en Laye*, the 29th of *June* 1679. shall be restor'd in all its Articles, and remain in its former Vigour between his Sacred most Christian Majesty and his Electoral Highness of *Brandenburg*.

XV. Whereas 'twill greatly conduce to the publick Tranquillity that the Treaty be observ'd, which was concluded between his Sacred most Christian Majesty and his Royal Highness of *Savoy*, on the Ninth of *August* 1696. 'tis agreed that the said Treaty shall be confirm'd by this Article.

XVI. Under this present Treaty of Peace shall be comprehended those who shall be nam'd by either Party, with common consent, before the exchange of Ratifications, or within six Months after. But in the mean time, the most Serene and Mighty Prince *WILLIAM* King of *Great Britain*, and the most Serene and Mighty Prince *LEWIS* the most Christian King, gratefully acknowledging the sincere Offices and indefatigable Endeavours, which have been employ'd by the most Serene and Mighty Prince *Charles K. of Sweden*, by the interposition of his Mediation, in bringing this happy Work of the Peace, with the Divine Assistance, to the desir'd Conclusion: and to shew the like Affection to him, 'tis by consent of all Parties stipulated and agreed, That his said Sacred Royal Majesty of *Sweden* shall with all his Kingdoms, Countrys, Pro-

vinces and Rights, be included in this Treaty, and comprehended in the best manner in the present Pacification.

XVII. Lastly, The solemn Ratifications of this present Agreement and Alliance made in due form, shall be deliver'd on both sides, and mutually and duly exchange'd at the Royal Palace of *Reswick*, in the Province of *Holland*, within the space of Three Weeks, to be reckon'd from the Day of the Subscription, or sooner if it may be.

In Testimony of all and every the things before-mention'd, and for their greater Force, and to give them all the Vigour and full Authority they ought to have, the under-written Ambassadors Extraordinary and Plenipotentiarys, together with the Illustrious and most Excellent the Extraordinary Ambassador Mediator, have sign'd and seal'd the present Instrument of Peace. *Done, &c.*

*Sign'd by the English and French Ambassadors,
and by the Mediator.*

Separate Article.

BESIDES all that is concluded and stipulated by the Treaty of Peace sign'd this present day, the 20th of *September*, It is moreover agreed by the present Separate Article, which shall have the same Force and Effect as if it was inserted word for word in the said Treaty, that the most Christian King shall covenant and agree, and by the present Article he does covenant and agree, That it shall be free for the Emperor and the Empire, until the first day of *November* next, to accept the Conditions of Peace lately proposed by the most Christian King, according to the Declaration made on the first day of this present Month, unless in the mean time it shall be otherwise agreed between his Imperial Majesty and the Empire, and his most Christian Majesty. And in case his Imperial Majesty does not within the time prefix'd accept those Conditions, or that it be no otherwise agreed between his Imperial Majesty and the Empire, and his most Christian Majesty; the said Treaty shall have its full effect, and be duly put in execution, according to its Form and Tenor; and it shall not be lawful for the King of *Great Britain*, directly or indirectly, on any Account or Cause whatsoever, to act contrary to the said Treaty.

Treaty

*Treaty of Peace between Lewis XIV.
King of France, and the United Pro-
vinces; concluded at Reswick, Septem-
ber the 20th, 1697.*

IN the Name of God and the most Holy Trinity, be it known to all present and to come, that during the course of the bloodiest War *Europe* hath been afflicted with for a long time, it hath pleas'd the Divine Providence to prepare *Christendom* to put an end to its Miserys, by forming an ardent Desire of Peace in the Heart of the most High, most Excellent, and most Potent Prince *Lewis XIV.* by the Grace of God most Christian King of *France* and *Navarre*; his most Christian Majesty having nothing more in view than to render the same by the Justness of the Terms solid and perpetual; and the Lords the States General of the United Provinces of the *Low-Countrys*, being desirous seriously to concur, and as much as in them lies to restore the publick Tranquillity, and to re-enter into the antient Friendship and Affection of his most Christian Majesty, have in the first place consented to acknowledge for this end the Mediation of the most High, most Potent, and most Excellent Prince, *Charles XI.* of Glorious Memory, by the Grace of God, King of *Sweden*, of the *Goths* and *Vandals*: But the precipitate Death of that Prince, having thwarted the hope all *Europe* had justy entertain'd in respect to the happy effect of his Counsel and good Offices, his most Christian Majesty and the said Lords the States General persisting in their Resolution forthwith to put a stop to the Effusion of so much Christian Blood, have judg'd they could do no better than to continue to own in the same Quality, the most High, most Excellent, and most Potent Prince *Charles XII.* King of *Sweden*, his Son and Successor; who on his part hath also continu'd the same Endeavours for promoting the Peace between his most Christian Majesty and the said Lords the States General, in the Conferences held for this end in the Castle of *Reswick*, in the Province of *Holland*, between

the Ambassadors Extraordinary and Plenipotentiarys nam'd on both sides, viz. on the part of his most Christian Majesty, the Sieur *Nicholas Augustus de Harlay*, Knight, Lord of *Bonneuil*, Count of *Celi*, Counsellor in ordinary to his Majesty in his Council of State; the Sieur *Lewis Verjus*, Kt. Count of *Crecy*, Counsellor in ordinary to the King in his Council of State, Marquis of *Treon*, Baron of *Couva*, Lord of *Boulay*, the two Churches of *Fort Isle* and *Meuillet*, and other Places; and the Sieur *Francis de Callieres*, Kt. Lord of *Callieres*, *Rochechelly* and *Gigny*: and on the part of the Lords the States General, the Sieurs *Anthony Heinsius*, Counsellor and Pensioner of the States of *Holland* and *Westfriesland*, Keeper of the Great Seal, and Superintendent of the Fiefs of the same Province; *Everhard de Weede*, Lord of *Weede*, *Dykvelt*, *Rotelles*, and other Places, Lord *Foncier* of the Town of *Oudewater*, Dean and Principal of the Imperial Chapter of *St. Mary in Utrecht*, *Dyck-Grave* of the *Rhine* in the Province of *Utrecht*, President of the States of the said Province; and *William de Haren*, *Grietman* of *Bilt*, Deputy from the Nobility to the States of *Friesland*, and Curator of the University of *Franecker*, Deputy in their Assembly on the part of the States of *Holland*, *Utrecht* and *Friesland*: who having implor'd the Divine Assistance, and communicated their full Powers respectively to one another, and having duly exchang'd them by the Intervention and Mediation of the Baron de *Lillienroor*, Ambassador Extraordinary and Plenipotentiary of the King of *Sweden*, who hath perform'd the Office of Mediator with great Prudence, Capacity, and all manner of Candor and Equity; they have, to the Glory of God and the Good of *Christendom*, agreed upon Articles, the Tenour whereof here follows.

I. There shall be for the future between his most Christian Majesty and his Successors, Kings of *France* and *Navarre*, and his Kingdoms on the one part, and the Lords the States General of the United Provinces on the other, a good, firm, faithful and inviolable Peace: and from hence forward all Acts of Hostility, be they of what nature they will, shall cease and be laid aside, between the said King and the said Lords the States-General, as well by Sea and on other Waters, as by Land, in all their Kingdoms, Countrys, Provinces and Seignorys; and for all their Subjects and Inhabitants, let them be of what Quality and Condition they will, without exception of Places or Persons.

II. There

II. There shall be a General Amnesty and Oblivion of all that hath been done on either part upon the account of the last War; whether for those, who being born Subjects of *France*, and oblig'd to serve the most Christian King, upon the account of the Employments and Estates which they possess'd within the boundrys of *France*, have enter'd into, and continu'd in the Service of the Lords the States General of the United Provinces, or for those who being born Subjects of the said States General of the United Provinces, or engag'd to serve them by reason of the Employments and Estates which they possess'd within the Dominions of the United Provinces, enter'd into or continu'd in the Service of his most Christian Majesty: And the said Persons of what Quality and Condition soever they be, without any exception, may and shall re-enter upon, and be effectually allow'd to be restor'd to the Possession and peaceable Enjoyment of all their Estates, Honours, Dignitys, Privileges, Franchises, Rights, Exemptions, Constitutions and Libertys, without their being examin'd, disturb'd or incommoded, in general or particular, be the Cause or Pretence what it will, upon the account of any thing that has happen'd since the beginning of the said War. And in consequence of this Treaty, and after the same shall be ratify'd, as well by his most Christian Majesty, as by the said Lords the States General, it shall be free for all and every of them in particular, without any Letters of Abolition or Pardon, personally to return into their Houses, and the Enjoyment of their Lands and all other Goods, and to dispose of them as they please.

III. And if any Prizes are taken on either side in the *Baltick* Sea, or that of the *North* from *Terneuse* to the end of the *British* Channel, in the space of four Weeks, or from the end of the Channel to *Cape St. Vincent* in six Weeks time, and beyond that in the *Mediterranean*, and as far as the Line in the space of ten Weeks, and beyond the Line and all the World over in eight Months time, to reckon from the Day of the Publishing of this Peace at *Paris* and the *Hague*: the said Prizes and the Damages done on either side beyond the time limited, shall be accounted for, and all that which shall be taken shall be restor'd, with Reparation of all Damages that may have been sustain'd.

IV. Moreover there shall be between the said King and the said Lords the States General, and their Subjects and

Inhabitants reciprocally, a sincere, firm and perpetual Friendship and good Correspondence as well by Sea as by Land, in all and every Place and Places as well within as without *Europe*, without resenting any Offences and Damages that may have been sustain'd as well heretofore as upon the account of the said Wars.

V. And his Majesty and the Lords the States General, by virtue of this Friendship and Correspondence, shall procure and sincerely promote the Good and Prosperity of one another, by yielding all Support, Aid, Counsel and real Assistance, upon all Occasions, and at all Times, to each other; and shall not for the future consent to any Treatys or Negotiations that may be injurious to either side; but shall break them, and mutually inform one another of them, with care and sincerity, as soon as they shall come to the knowledge of them.

VI. Those whose Estates have been seiz'd and confiscated, upon the account of the said War, their Heirs or Assigns, be they of what Quality or Religion soever they will, shall enjoy their Estates, and take possession of them by their own private Authority, and in virtue of this Treaty, without having any need to have recourse to Law, notwithstanding all Incorporations with the Exchequer, Engagements, Donations, Preparatory or Definitive Sentences given for Default or Contempt, in the absence of the Partys, and unheard; Treatys, Agreements, and Transactions, any Renunciations that may have been made of the said Transactions, to exclude the Party from the said Estates, which ought to belong to them; and all and every the Estates, and Rights, which are to be restor'd in conformity to this Treaty, or ought to be restor'd reciprocally to the first Owners, their Heirs or Assigns, may be sold by the said Proprietors, without being hindred for want of the consent of any particular Person; and afterwards the Proprietors of Rents, which on the behalf of the Fisc shall be constituted in lieu of the sold Estates, as also the Rents and Suits being at the Charge of the Fisc respectively, may dispose of the Propriety of the same by Sale or otherwise, as they do their other Goods or Estates.

VII. And as the Marquisate of *Bergenopzoom*, with all the Rights and Revenues depending thereon, and generally all the Lands and Goods belonging to the Count *d' Auvergne* Colonel-General of the Light-Horse of *France*, and which are within the Dominion of the said Lords the

States

States General of the *United Provinces*, have been seized and confiscated upon account of the War, to which this present Treaty ought to put a happy end; it's agreed, That the said Count *d'Auvergne* shall be restor'd to the Possession of the said Marquisate of *Bergenopzoom*, with its Appurtenances and Dependences; as also to his Rights, Actions, Privileges, Usages and Prerogatives, which he enjoy'd when the Declaration of the War was made.

VIII. All the Countrys, Towns, Places, Lands, Forts, Islands and Seigniorys, as well within as without *Europe*, which may have been taken and seiz'd since the beginning of this War, shall be restor'd on either side, in the same condition as the Fortifications were in when taken, and as to other Buildings in the state they are now, without damaging or destroying any of them, and also without pretending to any Reparation of Damage for what had been demolish'd of them; and particularly the Fort and Settlement of *Pontichery* shall be restor'd on the said Terms to the *French East-India Company*: and as to the Artillery carry'd thither by the *Dutch East-India Company*, as also the Ammunition, Provisions, Slaves and all other Effects, it shall be free for them to dispose of them as they please, as they may in like manner of the Lands, Rights and Privileges they have acquir'd as well of the Prince as of the Inhabitants of the Country.

IX. All Prisoners of War shall be releas'd on both sides, without any Distinction or Reserve, and without paying any Ransom.

X. The raising of Contributions shall cease on both sides, upon the day of the Exchange of the Ratifications of this present Treaty; and any Arrears of the said Contributions, which have been demanded and agreed to, shall not be exacted, but all Pretensions which may depend upon this account, under what title or pretence soever they may be, shall be entirely abolish'd both on the one side and the other: So also Contributions on either side, in respect to the Dominions of the most Christian and Catholick Kings, shall cease upon the exchange of the said Ratifications of this Treaty.

XI. That this Treaty may be made as firm as possible, and so continue, his Majesty and the States General have moreover agreed, and being satisfy'd with the same, they shall, as they do, make as well a general as a particular Renunciation of all manner of Pretensions, as well for the time past as for the present, be they what they will, that

one Party might pretend to upon the other, that so they may for the future cut off all occasions that may arise, and prevent new Differences.

XII. The ordinary course of Justice shall be free and open on both sides, and the Subjects both of the one and the other Dominion may pursue their Rights, Suits and Pretensions, according to the Laws and Statutes of each Country; and then without any Distinction, obtain all the Satisfaction that is justly due to them: And if any Letters of Reprisals have been granted on either side, whether before or after the Declaration of the last War, they shall be revok'd and annull'd, saving to the Partys to whom the same have been granted, the Liberty to have right done them by the ordinary Proceedings at Law.

XIII. If thro' Inadvertency or otherwise, any Infraction or other Inconvenience should happen in this Treaty, on the part of his said Majesty, or the said Lords the States General and their Successors; this Peace and Alliance shall for all that continue in its full force, without coming upon that account to any Breach of the Friendship and good Correspondence between them: but the said Contraventions shall immediately be repair'd; and if they happen thro' the fault of some private Men, they only shall be punish'd and chastis'd for them.

XIV. And that the Commerce and Friendship between the said King and the said States General of the *United Provinces* of the *Low Country*s, may be the better secur'd for the future, it's concluded and agreed on, That in case hereafter any Interruption of Friendship or Rupture should happen between the Crown of *France* and the States General (which God forbid) the Subjects both of the one and the other Dominion shall always have nine Months time allow'd them to withdraw with their Effects, and to carry them whithersoever they please: This they shall be allow'd to do, as also to sell or transport their Goods and Movables with all Freedom, without giving them any trouble, or pretending, during the said nine Months, to the siezing of their Effects, much less to confine their Persons.

XV. The Treaty of Peace between the most Christian King and the late Elector of *Brandenburg* made at *St. Germain en Laye*, the 29th of June, 1679. shall be re-establish'd between his most Christian Majesty and his Electoral Highness of *Brandenburg* that now is, in all its Points and Articles.

XVI.

XVI. As it concerns the publick Tranquillity, that the Peace concluded between his most Christian Majesty and his Royal Highness the Duke of *Savoy*, on the 9th of *August*, 1696. should be exactly observ'd; it's agreed, That the same is confirm'd by this Treaty.

XVII. And as his Majesty and the Lords the States General acknowledg the powerful Offices of the King of *Sweden*, who by his good Counsels and Persuasions hath continually been promoting the publick Safety and Tranquillity; it's agreed by both Partys, That his said *Swedish* Majesty, together with his Kingdoms, shall by name be comprehended in this present Treaty, in the best Form that can be.

XVIII. In this present Treaty of Peace and Alliance, all those who shall be nam'd before the Exchange of the Ratifications, and within six Months after they shall be exchanged, shall be comprehended in this Treaty of Peace and Alliance.

XIX. In like manner, on the part of the States General, the King of *Great Britain*, the King of *Spain*, and all their Allys, who within the space of six Months, to reckon from the exchange of the Ratifications, shall declare their Acceptance of the Peace; as also the thirteen laudable Cantons of *Switzerland*, with their Allys and Confederates, and particularly in the best manner and form that can be, the Republicks and Evangelick Cantons of *Zurick*, *Bern*, *Glaris*, *Basil*, *Schaschausen* and *Appenzel*, with all their Allys and Confederates; namely, the Republick of *Geneva* and its Dependences, the Town and County of *Neuschattel*, the Towns of *St. Gall*, *Milhausen* and *Bienne*; also the *Grisons*, and their Dependences, the Citys of *Bremen* and *Emden*; and finally, all Kings, Princes and States, Towns and particular Persons, the Lords the States General do agree, upon their Request made to them, shall be comprehended therein.

XX. The said King and the said Lords the States General do consent, that the King of *Sweden* as Mediator, and all other Princes and Potentates, who have a mind to come into the same Engagement, may give to his Majesty and the said Lords the States General their Promises and Obligations of Guaranty, for the Execution of every thing that is contain'd in this present Treaty.

XXI. The present Treaty shall be ratify'd and approv'd by the King and the Lords the States General, and the Ratifications

tifications produc'd within the space of three Weeks, or sooner if it can be done, to reckon from the day of figning.

XXII. And for the greater Confirmation of this Treaty of Peace, and all the Points and Articles contain'd therein, this faine Treaty fhall be publifh'd, verif'y'd and regiftr'd in the Court of Parliament of *Paris*, in all other Parliaments of the Kingdom of *France*, and Chamber of Accounts in *Paris*; as alfo the faid Treaty fhall in like manner be publifh'd, verif'y'd and regiftr'd by the faid Lords the States General, in the Courts and other Places where fuch Publications, Verifications and Regiftrings were wont to be made.

In witnefs whereof, we his Majefty's Ambaffadors, and thofe of the Lords the States General, by virtue of our refpective Powers, have in their Names fign'd thefe Prefents with our own Hands, and fet to our Seals. Done at *Refwick* in *Holland*, September the 20th, 1697. Sign'd,

(L. S.) *N. Lillienroot.*

(L. S.) <i>N. A. de Harlay Bonneuil.</i>	(L. S.) <i>A. Heynfius.</i>
(L. S.) <i>Verjus de Crecy.</i>	(L. S.) <i>E. de Weede.</i>
(L. S.) <i>De Callieres.</i>	(L. S.) <i>W. v. Haren.</i>

Separate Article.

BESIDES what has been agreed and concluded on by the Treaty of Peace, between the Ambaffadors Extraordinary and Plenipotentiarys of the moft Chriftian King, and thofe of the Lords the States General of the *United Provinces*, on the 20th of September, 1697. it has been farther agreed by this feparate Article, which fhall have the fame force and virtue as if it were inferted word for word in the faid Treaty, that his moft Chriftian Majefty will allow, as he does by this prefent Article, the Emperor and Empire till the firft of *November* next, to accept of the Terms of Peace propos'd laft by his moft Chriftian Majefty, purfuant to his Declaration of the firft of this instant September, unlefs his Imperial Majefty and the Empire may otherways agree with his moft Chriftian Majefty; and in cafe that the Emperor and Empire fhall not accept of the faid Terms, or do not otherwife agree with his faid moft Chriftian Majefty, the faid Treaty of Peace fhall have its full power and whole effect, and be executed according to its

its Tenor and Form, so as that the said Lords the States shall neither directly nor indirectly contravene the same, under any pretence whatsoever.

In witness whereof, we his Majesty's Ambassadors, and those of the States General, by virtue of our respective Powers, have in their Names sign'd this separate Article with our own Hands, and set to our Seals. *Reswick in Holland, Sept. 20, 1697. Sign'd,*

(L. S.) *N. A. de Harlay Bonneuil.* (L. S.) *A. Heynsius.*

(L. S.) *Verjus de Crecy.* (L. S.) *E. de Weede.*

(L. S.) *De Callieres.* (L. S.) *W. v. Haren.*

A Treaty of Commerce, Navigation and Marine, between Lewis XIV. King of France, and the United Provinces; concluded at Reswick, Sept. 20th, 1697.

THE Treaty of Peace, which has been concluded this Day, between the most Christian King and the Lords the States General of the *United Provinces*, having remov'd all Causes of Discontent, which for some time had alienated the Affection which his Majesty always had for their Good and Prosperity, pursuant to the Examples of the Kings his Predecessors; and the said Lords the States General, having also resum'd the same Inclinations, which heretofore they have testify'd towards the Grandeur of *France*, and even the Sentiments of a sincere Acknowledgment of the Obligations and considerable Advantages they have formerly receiv'd from her; his Majesty, who desires to omit nothing that may strengthen it, and the States General nothing less than the perpetuating of the same, they have bethought themselves there could be no better nor more effectual way to secure it, than to establish a free and perfect Correspondence between the Subjects of both Partys; and to this end, to regulate their particular Interests, in respect to Matters of Commerce and Navigation, by the most proper Laws and Agreements, in order to prevent

prevent all the Inconveniences which may weaken that good Correspondence: His said Majesty, to satisfy the desire of the said Lords the States, hath order'd the Sieur *Nicholas Augustus de Harlay*, Knight, Lord of *Bonneuil*, Count of *Celi*, Counsellor in ordinary to his Majesty in his Council of State; the Sieur *Louis Verjus*, Kt. Count of *Crecy*, Counsellor in ordinary to the King in his Council of State, Marquess de *Treon*, Baron of *Cowway*, Lord of *Boulay*, of the two Churches of *Fort Isle*, of *Meuillet*, &c. the Sieur *Françis Callieres*, Kt. Lord of *Callieres*, of *Rochechelly* and *Gigny*; to be his Ambassadors Extraordinary and Plenipotentiarys at the Negotiations of Peace: And the said Lords the States General, the Sieur *Heinsius*, Counsellor and Pensionary of the States of *Holland* and *West-Friesland*, Keeper of the Great Seal, and Superintendant of the Fiefs; *Everhard de Weede*, Lord of *Weede*, *Dykvelt*, *Rateles*, &c. Lord *Fancier* of the Town of *Oudemater*, Dean and Principal of the Imperial Chapter of *St. Mary* in *Utrecht*, *Dykegrave* of the *Rhine* in the Province of *Utrecht*, President of the States of the said Province; and *William de Haren*, Grietman of *Bilt*, Deputy on behalf of the Nobility in the States of the said Province, Curator of the University of *Franeker*, Deputy in their Assembly on the part of the States of *Holland*, *Utrecht* and *West-Friesland*; to confer and agree, by virtue of their respective Powers exhibited by them, upon a Treaty of Commerce and Navigation to this effect.

I. The Subjects of his said Majesty, and of the States General of the *United Provinces*, shall mutually enjoy the same Liberty in point of Commerce and Navigation, which they had at all times before the breaking out of this War, throughout all the Kingdoms, States and Provinces of each other.

II. And so they shall not for the future commit any Acts of Hostility against, or Violences upon one another, either by Sea or Land, or on fresh Waters, Roads and Rivers, under any name or pretence whatsoever: And so his Majesty's Subjects must not take any Commissions for Privateers, nor Letters of Reprisals from any Princes and States that are Enemy's to the said Lords the States General, and much less molest or do damage to them any manner of way, by virtue of such Commissions or Letters of Reprisals, nor even to go a Privateering with them, upon the Penalty of being prosecuted and punish'd as Pirates: And this shall be
recipro-

reciprocally observ'd by the Subjects of the *United Provinces*, in regard to his Majesty's Subjects; and very express and most severe Prohibitions shall be renew'd and publish'd to this end, and as often as they shall be requir'd on either part, in the Territorys under the Obedience of his said Majesty, and in the *United Provinces*; enjoining them by no means to make use of such Commissions or Letters of Reprisals, under the fore-mention'd Penaltys, which shall be severely inflicted on the Infringers of them; besides making full satisfaction to those to whom they have done the damage.

III. And to obviate all Inconveniencies as much as may be, that may happen by taking Prizes thro' Inadvertency or otherwise, and especially in remote Parts, it has been concluded and agreed, That if any Prizes shall be taken on either side, in the Baltick or North-Sea, from *Terneuse* in *Norway*, as far as the end of the *British* Channel, within the space of four Weeks, or from the end of the said Channel as far as *Cape St. Vincent*, within the space of six Weeks, and beyond that in the *Mediterranean*, and as far as the Line, in ten Weeks time; and beyond the Line and all the World over, in eight Months, reckoning from the Publication of this present Treaty; the said Prizes and Damages, which shall be made on either part, after the time limited, shall be restor'd, and Compensation made for the Damages sustain'd thereby.

IV. All Letters of Marque, and of Reprisals, which heretofore may have been granted, be the cause what it will, shall be void; and neither of the Allys shall grant any for the future, to the prejudice of the others Subjects; unless it be only in case of a manifest denial of Justice, which yet shall not be taken to be such, if the Suit of him who demands such Reprisals is not first made known to the Minister that is upon the Place, on behalf of the Country against whose Subjects they ought to be granted; that so in the space of four Months, and sooner if it can be done, he may inform himself of the contrary, or procure Justice to be done to the injur'd Party.

V. Moreover, his Majesty's private Subjects shall not be seiz'd or confin'd in their Persons, or Goods secur'd, upon account of any thing his Majesty may owe; neither shall the private Subjects of the said Lords the States General be serv'd so, by reason of the publick Debts of the said States.

VI. The Subjects and Inhabitants of the Countrys under his Majesty's Obedience, and of the said Lords the States General, shall live, converse with, and frequent one another's Company, with all good Friendship, and Correspondence; and mutually enjoy the Freedom of Commerce and Navigation in *Europe*, within all the Bounds of the Dominions of each other; and deal in all sorts of Merchandizes and Goods, the transporting of and trading in which, is not generally and universally prohibited to all, as well Subjects as Strangers, by the Laws and Constitutions of the respective Governments.

VII. And to this end his Majesty's Subjects, and those of the States General, may with their Merchandizes and Ships freely and uninterruptedly frequent the Countrys, Territories, Towns, Ports, Places and Rivers, both in the one and the others Dominions, and may carry thither and sell to all sorts of Persons without distinction, buy, traffick and transport all sorts of Merchandizes, whose Import, Export or Transport are not prohibited to the Subjects of his Majesty, and of the said Lords the States General, so as that this mutual Freedom shall not be interrupted, limited or restrain'd by any Privilege, Grant, or other particular Concession; and that it shall not be lawful for either of the Partys to grant or give to their Subjects any Immunities, Benefices, Gifts, Gratuitys, or other Advantages, beyond those of the other Ally, or to their prejudice; and that the said Subjects, on either side, shall not be oblig'd to pay greater or other Dutys, Charges, Gabelles or Impositions whatsoever, for their Persons, Goods, Wares, Ships or Freights, directly or indirectly, under any name, title or pretence whatsoever, than those that are paid by the true and natural Subjects both of the one and the other Party.

VIII. That the Subjects of the States General shall not also be otherwise or worse treated, in respect to the Rights of Constably, Anchorage, Paris-sol, and other Charges and Impositions, let them be call'd by what name they will, whether under the Denomination of Strangers Duty or otherwise, without any Reserve or Exception, than the Subjects of his most Christian Majesty, who shall not be Burghers in those Places where the said Dutys are levy'd.

IX. That as to the *Levant* Commerce of *France*, and the 20 per Cent. rais'd upon that score, the Subjects of the
States

States General of the *United Provinces* shall also enjoy the same Libertys and Franchises as the Subjects of the most Christian King, so as that it shall be free for the said Subjects of the States General to carry the Merchandizes of the *Levant* to *Marseilles*, and other Places allow'd of in *France*, as well in their own Ships as in *French* Bottoms; and that the Subjects of the States General shall neither in the one case nor the other be liable to the 20 *per Cent.* saving in such cases wherein the *French* themselves are subjected thereunto, in bringing the Goods in their own Ships to *Marseilles*, or other Places allow'd to have them brought to; and that there is no Alteration to be made herein, to the prejudice of the Subjects of the said States General.

X. It shall be free for the Subjects of the Lords the States General, to export, enter and carry into *France* and the new Conquests, freely and uninterruptedly, pickled Herrings, without any distinction, without being liable to re-packing, notwithstanding any Edicts, Declarations and Orders of Council to the contrary, and particularly those of *July 15*, and *Sept. 14*, 1687. by which 'tis prohibited to bring into the Ports of *France* or the new Conquests, any Herring otherwise than in Pickle, and salted with *Brouage* Salt, and which require that the Herring be brought into the Sea ports in Pickle in the Barrels, whereof Eighteen make up Twelve pack'd Herrings; which Orders shall be null and of no Effect.

XI. The Subjects both of the one and the other Nation, shall equally and without any distinction be mutually dispatch'd at the Custom-houses, as well in *France* as in the Dominions of the States General, as soon as possible, without giving them any delay or hindrance whatsoever.

XII. That a new Tariff shall be settled, pursuant to a reciprocal Proportion of things, within the space of three Months; and that in the mean time the Tariff of 1667. shall be provisionally observ'd: and in case they cannot within that time agree upon a new Tariff, that of 1664. shall be observ'd for the future.

XIII. The Men of War both of the one and the other Nation, shall always find the Roads, Rivers, Ports and Havens, free and open for them to go in and out, and to lie at Anchor so long as they have occasion, without being visited; but yet with an Injunction, that they shall carry themselves discreetly, and give no cause of Jealousy by too long and affected a stay, or otherwise, to the Governors of the said Places and Ports, to whom the Cap-

rains of the said Ships shall make known the cause of their Arrival and Stay.

XIV. His Majesty's and the said Lords the States General's Men of War, and those of their Subjects fitted out for War, shall with all freedom conduct the Prizes which they have taken from their Enemys whithersoever they please, without being oblig'd to pay any Dutys to the Admirals, or Admiralty, or any other; and without their being seiz'd or stop'd, upon the said Ships or Prizes entring into the Havens or Ports belonging to his Majesty or the States General; and without the Officers of those Ports having any power to take Cognizance of the Strength of the said Prizes, which may sail away, and be freely and unmolestedly carried to the Places, whither the Captains of the said Men of War are oblig'd by their Commissions to bring them: but on the contrary, they shall not give Protection or Retreat into their Ports or Havens, to such as shall make Prizes of the Ships of his Majesty or the States General, but in case they are driven in by Storm or Dangers of the Sea, they shall cause them to depart thence as soon as possible.

XV. The Subjects of the said Lords the States General shall not be reputed Aubains in *France*, and so shall be exempted from the Aubain Law, and be capable of disposing their Estates by Will, Donation, or otherwise: And their Heirs, the Subjects of the said States, being as well in *France* as elsewhere, shall receive their Successions even *ab intestato*, tho they have not had any Letters of Naturalization; so that the Effect of this Concession shall not be contested with them, or hinder'd, under any pretence of Right or Prerogative of any Provinces, Towns, or particular Persons. In like manner the Subjects of the said Lords the States may with all Freedom, and without the said Letters of Naturalization settle themselves in all the Citys of the Kingdom, there to carry on their Commerce and Traffick; but yet so as that they cannot acquire a Right of Freedom thereby, unless they have obtain'd Letters of Naturalization from his Majesty in authentick Form: and those of the United Provinces shall generally be treated in every thing as favourably as the true and natural born Subjects of *France*; and particularly they shall not be compriz'd in the Taxes which may be laid upon Strangers. And every thing contain'd in this Article shall
be

be observ'd, in respect to the King's Subjects residing in the Dominions subject to the said Lords the States.

XVI. Ships laden of either of the Allies, if they come upon the Coast of the other, and are forc'd by a Storm or otherwise into his Roads or Ports, shall not be oblig'd to unload or vend their Merchandizes, or any part there, or be liable to pay any Dutys, unless they do unlade their Goods voluntarily, and of their own accord.

XVII. Neither the Masters of Ships, nor their Pilots, Officers and Soldiers, Seamen and other Sea-faring People, nor even the Ships, Goods and Merchandizes they are laden with, shall be seiz'd or stopt, by virtue of any general or particular Order whatsoever, let the cause or occasion be what it will; no not even on pretence of the Preservation and Defence of the State. And in general nothing shall be taken from the Subjects of either Party, but by the Consent of those to whom it does belong, and paying for it; wherein nevertheless it's not meant to comprehend Seizures and Arrests made by Order and Authority of Law, and by the ordinary Course of Justice, and for just Debts, Contracts, and other lawful Causes; in respect to which they are to proceed according to Course of Law and Forms of Justice.

XVIII. All the Subjects and Inhabitants of *France* and the United Provinces, shall with all Freedom and Security sail with their Ships, and traffick with their Merchandizes, without any distinction made of the Proprietors of the same, out of their own Ports, Kingdoms and Provinces, as also out of the Ports and Kingdoms of other Powers or Princes, towards the Ports of those who are already declar'd Enemies, as well of *France* as of the United Provinces, or of one of them, or such as may become so: As also the same Subjects and Inhabitants may with the same Freedom and Security navigate with their Ships, and traffick with their Merchandizes, without any distinction made of the Proprietors thereof, into the Places, Ports, and Roads of those, who are Enemies of the one and the other Party, or of one or both in particular, without contradiction or disturbance whatsoever, not only directly from the said Places that are Enemies towards a neutral place, but also from a place that is an Enemy to the other; whether they lie under the Jurisdiction of the same Sovereign, or under several.

XIX. This Transportation and Trafficking shall extend to all sorts of Merchandizes, but such as are Contraband.

XX. Under the name of Contraband Goods are only comprehended all sorts of Fire-Arms, and Appurtenances belonging to them, as Cannon, Muskets, Mortars, Petards, Bombs, Granadoes, Sauſages, Forks, Bandaliers, Poulder, Match, Salt-petre, Ball, Pikes, Swords, Morions, Helmets, Cuirasses, Halberts, Javelins, Horſes, Saddles, Piſtols, Holſters, and other warlike Furniture.

XXI. We do not comprehend among thoſe ſorts of Goods that are contraband, Wheat, Oats, and other Grain, Pulſe, Oil, Wine, Salt, nor generally any thing that appertains to the Nouriſhment or Support of Life; but they ſhall be free as other Wares and Merchandizes are, not comprehended in the foregoing Article: and the Transportation of them ſhall be allow'd, even to places that are Enemy's of the ſaid Lords the States, except to ſuch Towns and Places as are beſieg'd, block'd up or inveſted.

XXII. It's agreed, in order to the fulfilling of the Premiſes, that matters ſhall be order'd thus, *viz.* That the Ships and Barks with Merchandizes on board belonging to his Maſteſty's Subjects, when they enter into any of the Ports of the ſaid Lords the States, and are deſirous to paſs from thence to thoſe of the ſaid Enemy's, ſhall only be oblig'd to ſhew to the Officers of the Ports of the ſaid Lords the States, from whence they ſhall part, their Paſſports, containing a Specification of their Ships Cargo, attested and ſeal'd with the common and accuſtom'd Seal of the Admiralty-Officers, or of the places from whence they firſt ſet out, with a Declaration of the place whither they were bound, the whole done in the ordinary and uſual Form: After which Exhibition of their Paſſports in the ſaid Form, they are not to be incommoded nor ſearch'd, detain'd nor retarded in their Voyages, upon any manner of pretence whatſoever.

XXIII. The ſame thing ſhall be done in reſpect to the *French* Ships and Barks, that ſhall go into any of the Roads under the Obedience of the Lords the States, without entering into the Harbours; or if they do, yet however without unloading and breaking bulk: which Veſſels ſhall not be oblig'd to give an account of their Cargo, unleſs there be a ſuſpicion that they carry contraband Goods to the Enemy's of the ſaid Lords the States, as aforeſaid.

XXIV. And

XXIV. And in the said case of apparent Suspicion, the said Subjects shall be oblig'd to shew their Passports in the Form before specify'd in the Ports.

XXV. That if they should come into the Roads or in the open Sea, and meet with some of the Men of War of the said States or Privateers, the said Ships belonging to the United Provinces, to the end they may avoid all disorder, shall come no nearer the *French* than Cannon-shot, and may send some small Bark or Shallop on board the *French* Ships or Barks, and enter two or three Men only, to whom they shall shew their Passports and Bills of Lading, that so not only the Cargo, but also the Place of Residence of the Master, and to which even the Ship does belong, may be known; to the end that by these two ways they may come to understand, whether there are any Contraband Goods on board, and what the Quality of the Ship and the Master is. To which Passports and Bills of Lading you are to give entire credit; and that the Validity of them may the more certainly be known, so as it may appear they are no ways counterfeited nor falsify'd, they shall have certain Marks and Countersignings of his Majesty, and of the Lords the States to them.

XXVI. And in case any contraband and prohibited Goods, as before declar'd, shall be found on board the said *French* Ships and Barks, bound for the Ports of the Enemies of the said States; they shall be taken out, adjudg'd, and confiscated before the Judges of the Admiralty of the United Provinces, or other proper Persons; but yet so as that neither the Ships and Barks, nor any of the Goods, Merchandizes, and Commodities, that are free and allowable, and found on board, shall upon any account be seiz'd or confiscated.

XXVII. Moreover, it hath been concluded and agreed on, that every thing which his Majesty's Subjects shall put on board a Ship of the Enemies of the said States, tho the same be not contraband, shall be confiscated with the said Ship, without any exception or reserve; but otherwise every thing shall be free, and go unmolested, which shall be found on board Ships appertaining to the most Christian King's Subjects, tho the Cargo or part thereof be for the Enemies of the said States, except contraband Goods; in reference to which, things shall be regulated according to the preceding Articles. And for a more particular Dilucidation of the said Article, it's farther concluded and agreed

on, that if it should so happen that both the Partys, or only one of them, should be engag'd in a War; the Goods appertaining to the Subjects of the other Party, and found on board the Ships of those who are become Enemys to both of them, or one Party only, shall not any ways be confiscated, upon the account or pretence that they are found on board an Enemy's Ship. And this shall not only be observ'd when the said Goods shall have been put on board before the Declaration of the War, but even when 'tis done after the said Declaration, provided it be confin'd within the time and terms here following, *viz.* If they have been laden in the Baltick or North Sea, from *Terneuse* in *Norway* to the end of the Channel, in the space of four weeks; or from the end of the said Channel as far as *Cape St. Vincent* within six Weeks; and beyond that in the *Mediterranean*, and as far as the Line, in six months time; and beyond the Line, and all the World over, in the space of eight months; to commence from the publication of these Presents: So as that the Goods and Merchandizes of the Subjects and Inhabitants on board those Enemys Ships can by no means be forfeited during the time, and within the said Limitation, upon account that 'tis an Enemy's Ship: But they shall without any delay be restor'd to the Owners, unless they have been put on board after the expiration of the said terms. Nevertheless it shall no ways be lawful to transport into the Enemy's Ports any contraband Goods, which may be found on board such an Enemy's Ship, tho' imbarc'd within the time before specify'd. And as it has been before regulated, that a free Ship shall go unmolested with its Cargo, it's also agreed and concluded that this Liberty shall reach to the Persons on board such a free Ship; and even so far, that tho' they may be Enemys of either, or of both Partys, yet being found on board a free Ship, they shall not be secur'd, unless they be really Soldiers and in the service of the Enemy.

XXVIII. All the Subjects and Inhabitants of the said United Provinces shall mutually enjoy the same Rights, Libertys, and Exemptions in their Traffick and Commerce, in all the Ports, Roads, Seas, and Dominions of his said Majesty; that is to say, the same as the Subjects of his said Majesty shall enjoy in those of the said Lords the States, and on the high Seas; a reciprocal Equality being to be understood every way between them: And even in

case the said Lords shall hereafter be at Peace, in Friendship and Neutrality with such Kings, Princes, and States, as shall become Enemys to his said Majesty; each of the two Partys shall reciprocally use the same Conditions and Restrictions as are set down in the Articles of this present Treaty, referring to Traffick and Commerce.

XXIX. And the better to secure the Subjects of the said Lords the States from any Violence being offer'd them by the said Men of War, all Captains of the King's Ships, and others subject to his Majesty, shall be forbid to molest or do any Damage to them upon any account whatsoever, upon Pain of being liable, both as to their Persons and Effects, to make good the damages sustain'd, so as due Restitution and Reparation be made for the same.

XXX. And to this end the Captains and Privateers shall each of them be oblig'd, before they go out of Port, to give good and sufficient Security, before proper Judges, of the Sum of fifteen thousand Livres *Tournois*, that they shall each of them substantially answer and make satisfaction for the Contraventions they may be guilty of in their Cruising: and those Captains and Officers that shall be guilty of such Contraventions, are by this present Treaty, and by the Edicts and Ordinances of his Majesty, which shall be publish'd by virtue and in conformity to the Tenour thereof, to forfeit their Commissions, and to be discarded out of the Service. And the same thing shall be done in reference to the Subjects of the States General.

XXXI. If it should come to pass, that any of the said *French* Captains should take a Ship laden with contraband Goods, as aforesaid; those Captains shall not force nor break open any Chests, Bales, Mails, Bundles, Tuns, and the like, and transport, sell or barter them, or otherwise alienate the same, till they are brought ashore to the Judges of the Admiralty, and after there has been an Inventory taken by them of the said Merchandizes found on board those Vessels. If the said contraband Goods do make but one part of the Lading, the Captain or Master of the Ship should do well to agree to deliver the said contraband Goods to the said Captain, and pursue his Voyage. In which case the said Captain or Master shall by no means be hinder'd to pursue his intended Voyage.

XXXII. His Majesty being willing that the Subjects of the said Lords the States General should be treated thro'out all his Dominions as favourably as his own Subjects, shall

issue out all proper Orders, that the Judgments and Sentences given concerning Prizes taken at Sea, shall be done with all Justice and Equity, by unsuspected and disinterested Persons, in reference to the matter in dispute: And his Majesty shall give particular and effectual Orders, that so all Sentences, Judgments, and Decrees of Judicature, already given and to be given, shall be readily and duly executed, according to their Forms.

XXXIII. And when the Ambassadors of the said Lords the States General, or some other of their publick Ministers, who shall reside at his Majesty's Court, shall complain of the said Judgments that have been pronounc'd, his Majesty shall cause the said Sentences to be review'd by his Council, who are to examine whether the Orders and Precautions contain'd in the said Treaty, have been follow'd and observ'd, and to regulate matters according to Reason within the compass of three months at farthest; and nevertheless, the Goods and Effects which are reclaim'd, shall not before the first Sentence nor after the same, during the Review, be sold nor discharg'd, unless it be with the Consent of the Partys concern'd, in order to obviate the Perishing of the Goods.

XXXIV. When a Suit is commenc'd in the first and second Instance against those who shall take Prizes at Sea, and the Persons interested in the same, and that the said Persons concern'd come to obtain a favourable Judgment or Sentence; the said Judgment or Sentence shall be executed without giving any Security, notwithstanding any Appeal of him who hath taken the Prize, but not the contrary: and that which is said in this and the preceding Articles, about doing of speedy and effectual Justice to the Subjects of the United Provinces, concerning Prizes taken at Sea by his Majesty's Subjects, shall be extended to and practis'd by the Lords the States General, in reference to the Prizes taken by their Subjects from those of his Majesty.

XXXV. His Majesty and the Lords the States General may at all times build or hire in each other's Country, such a number of Men of War or Merchant-ships as they please, as also buy such quantitys of Ammunition as they have occasion for, and make use of their Authority, that the building or hiring of the Ships, and purchasing of Ammunition, may be done at a reasonable Price; but yet so as that neither his Majesty, nor the Lords the States General, will

will give the same leave to the Enemys of each other, in case the said Enemys should be Assailants or Aggressors.

XXXVI. If it should so happen, that any Men of War or Merchantships should by Storm or other Accident be cast away on each other's Coasts, the said Ships, Tackling, Goods and Merchandizes, and whatever shall be sav'd, or be the Produce thereof, if the said Goods, being perishable, have been sold, the whole being reclaim'd by the Proprietors or others, that had a charge over and had them in their custody, within a year and a day, shall be restor'd without any Form of Law, by paying only reasonable charges, and what shall be regulated between the Allys for Salvage. And in case this Article be contraven'd, his Majesty and the said Lords the States promise effectually to make use of their Authority, to punish those their Subjects with all severity, who shall be guilty of Inhumanitys, that have sometimes been perpetrated, to their great forrow, on the like occasions.

XXXVII. His Majesty and the said Lords the States General will not receive, nor suffer their Subjects to receive into any of the Countrys under their obedience, any Pirates and Rovers whatsoever; but shall fall upon, punish, and drive them out of their Ports: and the Pirates Ships, as also the Goods taken by Pirates and Sea-Rovers, wherever they are found, shall without delay and Form of Law, be freely restor'd to the Owners that do reclaim them.

XXXVIII. The Inhabitants and Subjects on both sides may, thro' all the Territorys under the Obedience of the said King and the said States General, make use of such Advocates, Proctors, Notarys, and Sollicitors as they please, to whom also they shall be appointed by the usual Judges; and that the said Judges shall be requir'd, and must allow that the said Subjects and Inhabitants on either side shall in the places of their respective Residences keep their Books of Account and Traffick, in what Language they please, without being any way incommoded or molested upon this Account.

XXXIX. No Consuls shall for the future be allow'd on either side: and if it be thought proper to send Residents, Agents, Commissarys, or others, they shall settle no where but in such places where the Court usually resides.

XL. His Majesty and the said Lords the States General will not suffer any Man of War or any other sent out with the Commission and for the Service of another Prince, Repub-

Republick, or City whatsoever, to bring any Prize into the Ports, Havens, or any Rivers that belong to them, that have been taken from the Subjects of the one or the other Party: And in case that should happen, his said Majesty and the said Lords the States General shall make use of their Power and Authority, that Reasonable Reparation or Restitution be made of the same.

XLI. If thro' Inadvertency, or otherwise, any Infractions or Contraventions should be made of this Treaty, either on his Majesty's part or that of the States General, and their Successors; it shall however retain its full force, without coming upon that account to a Rupture of the Confederacy, Friendship, and good Correspondence between them: but Reparation shall forthwith be made for the said Contraventions; and if they proceed from the Faults of some particular Subjects, they shall be chastis'd and punish'd for it.

XLII. And the better for the future to confirm the Commerce and Friendship between the Subjects of the said Lord the King, and the said Lords the States General of the United Provinces of the *Netherlands*, it hath been concluded and agreed on, That in case hereafter any Interruption of Friendship or Rupture should happen between the Crown of *France* and the said Lords the States General of the United Provinces (which God forbid) nine months shall always be allow'd after the said Rupture, for the Subjects on either side to retire with their Effects, and to be transported whithersoever they please: This they shall be allow'd to do, as also to sell or transport their Effects and Movables, with all freedom, without giving them any molestation, or proceeding during those nine months to any Seizure of their Effects, much less to confine their Persons.

XLIII. That they shall on either side as much as in them lies, prevent every thing that may in any manner of way directly or indirectly hinder the Execution of this Treaty, and especially the seventh Article; and they do oblige themselves, upon the least complaint of any Contraventions that shall be made, immediately to make Reparation for the same.

XLIV. This Treaty of Commerce, Navigation and Marine shall last twenty years, the time to commence from the day of signing; and the Ratifications shall be produc'd in due form, and exchang'd on both sides within three weeks

weeks time, to reckon from the Day of signing, or sooner if it can be done.

XLV. And for the greater Confirmation of this Treaty, and all the Points and Articles contain'd therein, the same shall be publish'd, verifi'd, and register'd in the Court of the Parliament of *Paris*, and in all the other Parliaments of the Kingdom of *France*, and Chamber of Accounts in *Paris* aforesaid: as also in like manner the said Treaty shall be publish'd, verifi'd, and register'd by the said Lords the States General, in the Courts and other Places where such Publications, Verifications, and Registrys are wont to be made.

Separate Article.

BESIDES what hath been agreed on and concluded by the Treaty of Commerce made between his most Christian Majesty's Ambassadors and those of the Lords the States General of the United Provinces, this 27th day of *September* 1697. it hath been agreed and concluded by this separate Article, which shall have the same Virtue and Force, as if it were inserted word for word in the said Treaty, That the Imposition of fifty Sols *per Tun*, settled in *France* upon foreign Ships, shall for the future be entirely void, in respect to the Ships of the Subjects of the States General of the United Provinces, and shall not be reviv'd for the future: insomuch that the Ships of the Subjects of the said Lords the States General shall be discharg'd of the said Tax, whether the said Ships sail directly for *France* from the Countrys or Territorys of the said Lords the States General, or from any other place whatsoever, whether they be laden or empty, whether also they be freighted to unlade in one or more Places in *France*; or else being order'd to take in Lading in the places whither they design'd to go, and not meeting with it there, they sail to others for that end; whether also that the said Ships of the Subjects of the Lords the States General go out of the Ports of *France*, in order to return home, or to go elsewhere, be they in what place they will, laden or empty; whether also they have taken in their Lading in one or more places: since 'tis agreed, that the said Ships of the Subjects of the States General of the United Provinces shall neither in the said cases, nor upon

upon any other account whatsoever, be liable to the said Imposition; but that they shall be and continue exempted thereof, as well in coming from the said Ports of *France* as in going: except only in the following case, *viz.* That when the said Ships take in things of the Growth and Manufacture of *France*, and carry them from one Port of *France* to another of the said Kingdom, in order to unlade them there; in that case only, and no other whatsoever, the said Subjects of the said Lords the States General shall be oblig'd to pay the said Duty, as other Strangers do. This separate Article shall be ratify'd and register'd in the same manner as the Treaty of Commerce.

In witness whereof, we the Ambassadors of his said Majesty, and of the said Lords the States General, by virtue of our respective Powers, have in their names sign'd it with our own Hands, and put to our Seals, at *Reswick* in *Holland*, Septemb. 20, 1697.

(L. S.) *N. A. de Harlay*
Bonneuil,
 (L. S.) *Verjus Crecy,*
 (L. S.) *De Callieres.*

(L. S.) *A. Heinsius,*
 (L. S.) *E. de Weede,*
 (L. S.) *W. van Haren.*

Treaty of Peace between Lewis XIV. King of France, and Charles II. King of Spain, concluded at Reswick, September 20, 1697.

IN the name of God and of the most Holy Trinity, to all present and to come. Be it known, that during the Course of the most bloody War wherewith *Europe* hath been afflicted for a long time, it pleas'd the Divine Providence to prepare Matters to put an end to the Evils of *Christendom*, by preserving an ardent Desire of Peace in the Hearts of the most high, most excellent, and most potent Prince *Lewis XIV.* by the Grace of God most Christian King of *France* and *Navarre*, and of the most high, most excellent, and most potent Prince *Charles II.* Catholick King of the *Spains*: who being equally desirous to concur in good earnest, and as much as in them lies, towards the re-establishing of the publick Tranquillity, and having nothing more in view than to render the same solid and perpetual, by the Equitableness of the Terms; their Majestys have in the first place unanimously agreed to acknowledge for this purpose the Mediation of the most high, most excellent, and most potent Prince of glorious Memory *Charles XI.* by the Grace of God King of *Sweden*, of the *Goths* and *Vandals*: But his unexpected Death having cross'd the hopes, which all *Europe* had justly conceiv'd of the happy Effects of his Counsels and good Offices; their said Majestys persisting in a Resolution to put a stop as soon as possible to the Effusion of so much Christian Blood, have bethought themselves, that they could do no better than in the same quality to continue to acknowledge the most high, most excellent, and most potent Prince *Charles XII.* King of *Sweden* his Son and Successor, who on his part hath also continu'd the same Endeavours for promoting a Peace between their most Christian and Catholick Majestys, in the Conferences held for this end in the Castle of *Reswick* in the province of *Holland*,
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between

between the Ambassadors Extraordinary and Plenipotentiarys nam'd ou both sides, viz. for the most Christian King the Sieur *Nicholas Augustus de Harlay*, Knight, Lord of *Bonneuil*, Count of *Cely*, Counsellor in Ordinary to his Majesty in his Council of State; the Sieur *Lewis Verjus*, Knight, Count of *Crecy*, Counsellor in Ordinary to the King in his Council of State, Marquiss of *Tremon*, Baron of *Couvay*, Lord of *Boulay*, of the two Churches of *Fort Isle* and *Meuillet*, and other Places; the Sieur *Francis de Callieres*, Knight, Lord of *Callieres de la Rochechelly*, and of *Gigny*: and on the part of his Catholick Majesty, Don *Francisco Bernardo de Quiros*, Knight of the Order of *St. James*, Counsellor to the King in his Royal and Supreme Council of *Castile*; Don *Lewis Alexander de Stockart*, Count of *Tiremont*, Baron of *Gaesbeke*, Counsellor in the Supreme Council of State for the *Netherlands*; at *Madrid*, and of that of State and Privy Council in the *Low-Countrys*: Who after having implor'd the Divine Assistance, and respectively communicated their full Powers to one another, and having duly exchang'd the same by the means and intervention of *Nicholas Baron de Lillienroot*, Ambassador Extraordinary and Plenipotentiary from his Majesty the King of *Sweden*, who hath discharg'd the Function of Mediator with so much Prudence, Capacity and Equitableness, they have, to the Glory of God and the Good of *Christendom*, agreed on the Articles here following.

I. It's concluded and agreed, that for the future there shall be a good, firm and durable Peace, Confederacy, and perpetual Alliance between the most Christian and Catholick Kings, their Children born and to be born, their Heirs and Successors, their Kingdoms, Territorys, Countrys and Subjects; that they shall love one another as good Brothers, promoting with all their Might the Good, Honour and Reputation of each other, and avoiding in good earnest, and as much as possibly they can, every thing that may occasion a prejudice to either side.

II. In consequence of this Peace and good Union, all Acts of Hostility shall cease between the said Kings, their Subjects and Vassals, as well by Sea and other Waters as by Land, and generally in all Places where War hath been wag'd by their Majestys Arms, as well between whole Armys as the Garisons of Places: And if they shall contravene the same, by taking one or more Places, whether

whether by Attack, Surprize or Intelligence; and also if they make any Prisoners, or commit other Acts of Hostility by chance or otherwise, Reparation shall be made for such Contravention on both sides with all Sincerity, without any delay or difficulty; Restitution being made without any diminution of that which has been seiz'd, and those that have been made Prisoners shall be deliver'd up without any Ransom or Charge.

III. All Causes of Enmity and Misunderstanding shall be forgot and for ever abolish'd; There shall be a perpetual Oblivion and Amnesty on both sides of every thing transacted during this War, or upon the account of it; without seeking for the future, under any pretence whatever, either directly or indirectly, any amends by way of Law-Suit or otherwise, let the Pretence be what it will; and neither shall their said Majestys, their Subjects, Servants and Adherents shew any Resentment, nor pretend to any Reparation for the same.

IV. *Gironne, Roses and Belver* shall be restor'd and put into the possession of his Catholick Majesty, in the State they were taken, together with the Artillery found therein at the same time; and in general all the other Towns, Places, Forts and Chastellanys whatsoever, which during this War have been possess'd by the Arms of his most Christian Majesty in the Principality of *Catalonia*, or elsewhere in *Spain*, together with their Appurtenances, Dependences and things annex to them, shall be restor'd in the Condition they are at present, without retaining, reserving, weakening or damnifying any thing appertaining to them. The City of *Barcelona*, the Fort and Fortifications depending thereon, together with all the Artillery, shall also be restor'd into the hands, and put under the Dominion and Sovereignty of the Catholick King, in the same Condition all was found at the time they were taken, with all the Appurtenances, Dependences and other matters annex thereunto.

V. The City and Fortres of *Luxemburg*, in the Condition 'tis at this day, without demolishing, changing, diminishing, weakening or worsting any of the Works, Forts and Fortifications of the same, with the Artillery found therein at the time it was taken; together with the Province and Dutchy of *Luxemburg*, and the County of *Chiny* in all their Circumstances, and every thing comprehended therein, with their Appurtenances, Dependences and things

things annext, shall be given up, put into the hands, and under the Power, Sovereignty, Dominion and Possession of the Catholick King, in good earnest, to be enjoy'd by the said Catholick King, in the same manner as it was or might have been at and before the Treaty of *Nimeguen*, without withholding or reserving any thing, save what has been yielded to his said most Christian Majesty by the aforesaid Treaty of Peace.

VI. The Fortres of *Charleroy* shall in like manner be put into the hands, and under the Power and Dominion of his Catholick Majesty, with its Dependences, in the Condition 'tis now, without breaking, demolishing, weakening or otherwise damnifying any thing therein; as also the Artillery that was in it at the time it was taken.

VII. The City of *Mons*, the Capital of the Province of *Hainault*, shall also be put into the Possession, and under the Dominion and Sovereignty of his Catholick Majesty, together with its Works and Fortifications, in the State they are at present, without breaking, demolishing, weakening, or worsting any thing belonging thereunto; together with the Artillery found therein at the time it was taken; also the Bayliwick, Provostship, Appurtenances and Dependences of the same Town, in all the parts thereof, in the same manner as the Catholick King did, or might enjoy the same at and before the said Treaty: As also the Town of *Aeth*, in the Condition it was found when last taken, without breaking, demolishing, weakening, or damnifying any thing therein, together with the Artillery found there at the same time; also the Bayliwick, Chastellany, Appurtenances, Dependences and Annexes of the said Town, as they were yielded up by the Treaty of *Nimeguen*, except the Places hereafter nam'd, viz. the Burg of *St. Anthony*, *Vaux*, *Guarrain*, *Romecroix*, *Be-rhorne*, *Constantine*, the Fief of *Paradis*; the said last Places being within the Boundaries of the County of *Tournay*: and the said Fief of *Paradis*; together with the Villages of *Kans*, *Kavines*, *Meles*, *Mourcourt*, *Kain*, *le Mont de St. Audebert*, call'd *de la Trinity*, *Fontenay*, *Mau-bray*, *Hernies*, *Calvelle* and *Wier*, with their Parishes, Appurtenances and Dependences, without any reserve, shall remain in the possession of the most Christian King; the Province of *Hainault*, continuing however under the Dominion of his Catholick Majesty, yet without preja-

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dice to what has been yielded to his most Christian Majesty by the preceding Treatys.

VIII. The Town of *Courtray* shall be put into the hands, and under the Dominion and Sovereignty of the Catholick King, in the condition 'tis now, together with the Artillery found therein when it was last taken; as also the Chastellany of the said Town, Appurtenances, Dependences, and other things annext thereto, conformable to the Treaty of *Nimeguen*.

IX. The said most Christian King shall also restore to his Catholick Majesty, all the Towns, Places, Forts, Castles and Ports, which his Armys have or might have possess'd to the day of the Peace, and even after it, in what place of the World soever they are; as his said Catholick Majesty shall in like manner restore to his most Christian Majesty, all the Places, Forts, Castles and Ports, which his Armies might have seiz'd during this War, even to the day of the proclaiming of the Peace, be they where they will.

X. All the Places, Towns, Boroughs and Villages, which the most Christian King has seiz'd, and made Reunions of, since the Treaty of *Nimeguen*, in the Provinces of *Luxemburg*, *Namur*, *Brabant*, *Flanders*, *Hainault*, and other Provinces of the *Netherlands* (according to the List of the said Reunions produc'd on the behalf of his Catholick Majesty, in the Acts of this Negotiation, a Copy whereof shall be annex'd to this present Treaty) shall wholly and always remain in the possession of his Catholick Majesty, except the eighty two Towns, Boroughs, Places and Villages contain'd in the excepted List, produc'd also on the part of his most Christian Majesty, and to which he makes Pretension on the account of being Dependences upon the Towns of *Charlemont*, *Maubeuge*, and other Places yielded to his most Christian Majesty by the Treatys of *Aix la Chapelle* and *Nimeguen*: In respect to which eighty two Villages only, a List whereof shall in like manner be annext to this present Treaty, it's mutually agreed, that presently after the signing of the present Treaty, Commissioners shall be nam'd on both sides, as well to regulate to which of the two Kings the said eighty two Towns, Boroughs, Places or Villages, or any of them ought to belong, as to agree to make Exchanges for the Places and Villages within the Confines of the Countrys under the Dominion both of the one and the

other: And in case the said Commissioners cannot agree, their most Christian and Catholick Majestys shall put the same to the final determination of the States General of the *United Provinces*, whom the said Lords the Kings have mutually consented to be Arbitrators; yet without being a Bar to the Plenipotentiarys of the most Christian and Catholick Kings agreeing otherwise amicably about them between themselves, and even before the Ratification of this Treaty, if it be possible; provided all Difficultys, as well in reference to the said Reunion, as to the Limits and Dependences, shall on either side be intirely silenc'd and determin'd: In consequence whereof all Suits, Sentences, Separations, Incorporations, Commissions, Decrees, Confiscations, Reunions, Declarations, Regulations, Edicts, and in general all Acts whatsoever, denounc'd in the name and on the behalf of his most Christian Majesty, upon the account of the said Reunions, whether by the Parliament or Chamber set up at *Metz*, or by any other Tribunals of Justice, Intendant, Commissions, Delegations against his Catholick Majesty and his Subjects, shall cease, and be revok'd and annull'd for ever, as if they had never been; and moreover the Generality of the said Provinces shall belong to his Catholick Majesty, except all those Towns and Places, together with their Appurtenances and Dependences, that have been yielded to his most Christian Majesty by the preceding Treatys.

XI. All the said Places, Towns, Boroughs and Villages, Circumstances, Dependences and Annexes, quitted and yielded by his most Christian Majesty, without any reserve, shall be put again into the possession of his Catholick Majesty, to be enjoy'd by him, together with all the Privileges, Advantages, Profits and Revenues depending thereupon, with the same extent, and the same Rights of Property, Dominion and Sovereignty, as he enjoy'd them before the last War, at and before the Treatys of *Aix la Chapelle* and *Nimeguen*, and all in the same manner as he might or ought to have enjoy'd the same.

XII. The Restitution of the said Places shall be perform'd on the part of the most Christian King, really and sincerely, without any delay or difficulty, under any Cause or Pretence, in respect to him or them who shall be deputed by the said Catholick King, immediately after the Ratification of this Treaty, without demolishing, weakening, diminishing, or any way damaging the said
Towns,

Towns, and without pretending to or demanding the Reimbursement of any Charges, on the account of Fortifications, publick Edifices, and Buildings erected in the said Places; nor the payment of that which might be due to Soldiers and military Persons, that are found there at the time of the Restitution.

XIII. The most Christian King shall withdraw out of all the said Places, which he restores to the Catholick King, all the Artillery which his said Majesty had caus'd to be brought into the said Places since they have been taken, as also all the Poudre, Ball, Provision and Ammunition found there, at the time they are put into the hands of his said Catholick Majesty; and those Persons whom the most Christian King shall depute for this end, may for the space of two months make use of the Waggon and Boats of the Country: The Passage, as well by Water as by Land, shall be free for them to carry the said Ammunition into the most neighbouring Places belonging to his most Christian Majesty: The Governors, Commanders, Officers, and Magistrates of the Places and Countrys thus restor'd, shall facilitate, as much as in them lies, the removal away and carriage of the said Ammunition and Artillery: The Officers, Soldiers and military Men, who do evacuate the said Places, may also from thence withdraw and carry away the Movables appertaining to them, but yet so as that they are not allow'd to exact any thing from the Inhabitants of the said Places, or of the open Country, nor to damnify the Houses, or to take away any thing belonging to the Inhabitants.

XIV. The Prisoners, of what Quality or Condition soever they be, shall on both sides be set at liberty, and without any ransom, as soon as the Ratifications are exchange'd, they paying their Debts, and whatever they lawfully ow'd there. And if any Persons have been put on board the Gallies of their said Majestys, by reason and because of the Misfortune of the said Wars only, be it for what cause or occasion soever, they shall forthwith be set at liberty without any delay or difficulty, be the cause or the occasion what it will, and without demanding upon that account any thing for their Ransom or Maintenance.

XV. The Subjects of either side, be they who they will, may, having regard to the Usages, Laws and Customs of the respective Countrys, by virtue of this Peace and strict Friendship, go, come, tarry, traffick and return

turn to and from each other's Countrys, as good Traders, as they please, as well by Sea as by Land, and others, to trade and deal together; and shall be supported and protected in each other's Countrys as good Subjects, paying the just Customs requir'd in all the usual Ports and others, which shall be laid by the said Kings or Successors.

XVI. All the Papers, Letters and Documents appertaining to the Countrys, Lands and Signiorys, which yielded and restor'd to the said Kings by the present Treaty of Peace, shall be produc'd and deliver'd up since on each side, within three months after the Ratification of this Treaty shall be exchang'd, in what Places for the said Papers and Documents may be found, even in which might have been taken away out of the Citadel of *Ghent*, and the Chamber of Accounts at *Lisle*.

XVII. Contributions settled or demanded on either side, Reprisals, Demands of Forage, Corn, Wheat, Cattle, Utensils, and other sorts of Impositions on the Countrys of either of the two Sovereigns, shall cease presently after the Ratification of this Treaty; and all Arrears or Parts thereof that may be due shall be demanded on neither side, under any Title or Pretence whatever.

XVIII. All the Subjects on either side, as well Ecclesiastical as Secular Bodys, Communitys, Universities, Colleges, are restor'd as well to the enjoyment of their Honours, Dignitys and Benefices, of which they were possess'd before the War, as to all and every their Rights, Movables and Immovables, Rents of Redemption, whereof the Principal is in being, and passable Rents, seiz'd and enjoy'd since the said times, as well upon the account of the War, as for having follow'd the contrary Party: together with their Rights, Actions and Successions to the Survivors, even since the War began: yet without demanding or pretending to satisfaction for the Produce of the Income receiv'd or due during the War, since the seizure of the said immovable Goods, Revenues and Benefices the day of the publication of this Treaty.

XIX. In like manner they cannot demand nor pretend to any Debts, Effects and Movables, which have been confiscated before the said day; so as that neither the Creditors of such Debts, the Depositors of such Effects, nor their Heirs, or any pretending thereunto, shall not

for, nor pretend to recover the same: Which Re-establishments, in the form aforesaid, shall be in favour of those who have follow'd the contrary Party; insomuch that by the means of this Treaty they are to return into the favour of their Prince and Sovereign, as also into the possession of their Goods and Estates, as they are found to exist at the concluding and signing of this Treaty.

XX. And the restoring of the said Subjects both on the one and the other side, shall be done pursuant to the 21st and 22d Articles of the Treaty of *Nimeguen*, notwithstanding all or any of the Donations, Concessions, Declarations, Confiscations, Commissions, preparatory and definitive Sentences, given for contumacy in the absence of Partys, and the same unheard: Which Sentences and Judgments thereupon shall be void and of none effect, as if never given and pronounc'd; with full and entire liberty for the said Partys to return into the Countrys, out of which they had withdrawn before, personally to enjoy their Goods and Movables, Rents and Revenues, or to fix their Abode out of the said Countrys, wheresoever they please, and at their own Choice and Election, without using any Constraint upon them on that account. And in case they shall rather chuse to dwell elsewhere, they may depute or entrust such unsuspected Persons, as they shall think fit, to manage and enjoy their said Goods, Rents and Revenues; but this shall not extend to Benefices that require Residence, which ought to be personally serv'd.

XXI. The 24th and 25th Articles of the said Treaty of *Nimeguen* concerning Benefices shall be executed; and consequently those who have had Benefices confer'd upon them by either of the two Kings, who in the time of the Collation possess'd the Towns and Countrys where the said Benefices were situated, shall be maintain'd in the possession and enjoyment of the said Benefices.

XXII. The Subjects on both sides shall have liberty and full power to sell, exchange, alienate, and otherwise to dispose, as well by Deed as last Will and Testament, of their Goods, and movable and immovable Effects, which they have or shall have in the Dominions of the other Sovereign; and any one may buy them, Subjects or Foreigners, so as that there is no need of any Grant, Leave, or other Act whatsoever, for this Sale or Buying, but only this Treaty.

XXIII. As there are Rents laid upon the Generality of some Provinces, part of which are possess'd by his most Christian Majesty, and the other by the Catholick King; it's concluded and agreed, that each shall pay his Quota, and Commissioners shall be nam'd to regulate the Proportion each King ought to pay.

XXIV. Rents lawfully fix'd or due upon the Domains by the preceding Treatys, and the payment whereof shall appear in the Accounts given to the Chambers of Accounts by the Receivers of their most Christian and Catholick Majestys, before the said Cessions, shall be paid by their said Majestys to the Creditors of the said Rents, be they under whose Dominion they will, whether *Frenchmen*, *Spaniards*, or any other Nation, without any distinction.

XXV. And as a good and firm Peace is made by this Treaty as well by Sea as by Land, between the said Kings in all their Kingdoms, Countrys, Territorys, Provinces and Signiorys; and that all Hostilitys ought to cease for the future: It's stipulated, that if any Prizes are taken on either side in the *Baltick*, or in the *North-Sea*, from *Terneuse* in *Norway* to the end of the *British Channel*, in the space of four Weeks; from the end of the said Channel as far as *Cape St. Vincent*, in the space of six Weeks; and from thence in the *Mediterranean*, and as far as the *Line*, in the space of six Months; beyond the *Line*, and all the other parts of the World, in the space of eight Months, to reckon from the day of proclaiming this present Treaty: the said Prizes which shall be taken on either side, after the said Terms, shall be restor'd with satisfaction made for the Damages sustain'd by such Capture.

XXVI. In case of a Rupture, which God forbid, there shall be six Months time given to the Subjects on either side, to withdraw and carry off their Effects and Persons whither they please; and they shall be allow'd to do it with all freedom, and without any let or hindrance; and none are suffer'd to seize the said Effects, much less are their Persons to be detain'd.

XXVII. The Troops on either side shall withdraw presently after the ratifying of this Treaty, into the Countrys and Territorys of their own Sovereigns, and into such Parts and Places as are reciprocally to remain and belong to their Majestys, pursuant to this Treaty, without tarrying, under any pretence whatsoever, in the Dominions
of

of the other Sovereign, nor in like manner in the Places which hereafter ought to remain and belong to him : And as soon as the Treaty is sign'd, there shall be a Cessation of Arms and Hostilitys in all Places under the Dominions of the said Kings, as well by Sea and other Waters as by Land.

XXVIII. It hath also been agreed, that the receiving of Dutys or Customs, which the most Christian King is in possession of, in all the Countrys which he surrenders or restores to the said Catholick King, shall be continu'd to the day of the actual Restitution of the Places upon which the said Countrys are dependent; and that that which shall be in Arrear after the said Restitution, shall be faithfully paid to them who have farm'd the same; as also that at the same time the Proprietors of Woods, confiscated within the Dependences of those Places, which ought to be restor'd to his Catholick Majesty, shall re-enter upon possession of their Goods, and of all the Wood which they shall find on the Spot : it being always understood, that the felling or cutting of all Wood shall cease on either side, on the day of the signing of the present Treaty.

XXIX. The Treaty of *Nimeguen*, and the preceding ones, shall be put in execution according to their form and tenor, except in the Points and Articles from which they have before derogated, or wherein, in the last place some alteration is made in the present Treaty.

XXX. All Law-Proceedings and Judgments pronounc'd between private Persons by the Judges or other Officers of his most Christian Majesty, who have been fix'd as well in the Towns and Places which he hath enjoy'd by virtue of the Treaty of *Aix la Chapelle*, and which since have been yielded to his Catholick Majesty, as in those that belong to the most Christian King, by virtue of the Treaty of *Nimeguen*, or which he has been in possession of since the said Treaty; and in like manner the Decrees of the Parliament of *Tournay*, made in respect to Differences and Law-Suits, prosecuted by the Inhabitants of the said Towns and their Dependences, during the time that they have been subject to his most Christian Majesty, shall take place and have their full effect, as if the said King continu'd Lord and Possessor of the said Towns and Countrys; and the said Judgments and Decrees shall not be revok'd, question'd and annul'd, nor the execution of them retarded or hinder'd. However, it shall be lawful for Persons to

have a rehearing of the Cause, according to the Order and Disposition of the Laws and Ordinances; the Judgments nevertheless remaining in their full force and virtue, without any prejudice to that which is stipulated in this respect in the 21st Article of the said Treaty of *Nimeguen*.

XXXI. The Town and Castle of *Dinant* shall be restor'd by the most Christian King to the Bishop and Prince of *Liege*, in the state it was when possess'd by the King's Arms.

XXXII. His most Christian Majesty having express'd his Desire that the Isle of *Ponza* in the *Mediterranean* be restor'd to the Duke of *Parma*, his Catholick Majesty, in consideration of the Offices of his most Christian Majesty, has been pleas'd to declare, that he will withdraw the Soldiers he may have there, and put that Island into the Power and Possession of the Duke of *Parma*, as soon as this Treaty shall be ratify'd.

XXXIII. As it conduces to the publick Tranquillity, that the Peace concluded at *Turin* on the 29th of *August*, 1696. between the most Christian King and his Royal Highness of *Savoy*, should also be exactly observ'd, it hath been thought convenient to confirm it by, and to comprehend it in the present Treaty, in all its Points or Articles, such as are contain'd in the Copy sign'd and seal'd by the Plenipotentiarys of *Savoy*, and which shall be annext to this present Treaty: for the maintenance of which Treaty, and this now in hand, their Majestys give their Guaranty to his Royal Highness.

XXXIV. Their said Majestys acknowledging the good Offices and Endeavours which the most Serene King of *Sweden* hath continually imploy'd for the restoring of Peace; they have agreed, that his *Swedish* Majesty shall by name be comprehended in this present Treaty, in the best form and manner that can be.

XXXV. All those who shall be nam'd on either part by common Consent, before the Exchange of the Ratifications, shall be comprehended in this Peace, Alliance and Friendship, within the space of six months after they shall be exchange'd.

XXXVI. The said most Christian and Catholick Kings consent, that his *Swedish* Majesty in quali'y of Mediator, and all other Kings, Princes and States, who are willing to enter into the like Engagements, may give their Promises and Obligations of Guaranty to their Majestys, for
the

the Execution of all that is contain'd in this present Treaty.

XXXVII. And for the greater confirmation of this Treaty of Peace, and all the Points and Articles contain'd therein, the present Treaty shall be publish'd, verify'd and registred as well in the Grand Council and other Councils and Chambers of Accounts belonging to the said Catholick King in the *Low-Countrys*, as in the other Councils of the Crowns of *Castile* and *Aragon*, all pursuant and according to the form contain'd in the Treaty of *Nimeguen*, in the Year 1678; as in like manner the said Treaty shall be publish'd, verify'd and register'd in the Court of the Parliament of *Paris*, and in all other Parliaments of the Kingdom of *France*, and in the Chamber of Accounts in the said City of *Paris*: of which Publications and Registrings, Extracts shall be taken and deliver'd on both sides within the space of three Months after the publication of this Treaty.

XXXVIII. The Points and Articles abovemention'd, together with the Contents of each of them, have been treated of, agreed to, passed and stipulated between the said Ambassadors Extraordinary and Plenipotentiarys of the said Catholick and most Christian Kings, in their Majestys Name: which Plenipotentiarys, by virtue of the Powers they receiv'd, have promis'd, and do promise, under the penalty of all and every the respective Estates, in Possession or Reversion, of the Kings their Masters, that they shall be inviolably observ'd and fulfill'd, to have them sincerely and unfeignedly ratify'd, without any Addition made thereunto; and to produce the Ratifications in authentick Form, wherein this whole Treaty shall be inserted word for word, within six Weeks, to commence from the Day of the Date of this Treaty, and sooner, if possible. Besides, the said Plenipotentiarys have, and do promise in the said Names, that when the said Letters of Ratification are produc'd, the said most Christian King shall as soon as may be, in the presence of such Person or Persons as the Catholick King deposes, solemnly swear upon the Crofs, Evangelists, Canons of the Mass, and his Honour, to observe, and fully, really, and in all sincerity to observe and fulfil all the Articles contain'd in this present Treaty; and the same shall also be done as soon as possible, by the said Lord the Catholick King, in the presence of such Person or Persons as the most Christian King

shall depute. In witness of all which the said Plenipotentiarys have subscrib'd their Names to this present Treaty, and put to their Seals. *Done at Reswick in Holland, Sept. the 20th, 1697.* Thus sign'd in the Original :

(*L. S.*) *Lillienroot.*

(*L. S.*) *Harlay Bonneuil.*

(*L. S.*) *Don Francisco Bernardo de Quiros.*

(*L. S.*) *Verjus de Crecy.*

(*L. S.*) *Francis de Callieres.*

(*L. S.*) *The Count de Tiremont.*

Separate Article of the Treaty of Peace between Lewis XIV. King of France, and Charles II. King of Spain, concluded at Reswick, September the 20th, 1697.

OVER and above what has been concluded and agreed on by the Treaty of Peace between the Ambassadors extraordinary and Plenipotentiarys of the most Christian King, and those of the Catholick King, this 20th Day of September 1697. it's farther agreed by this present Separate Article, which shall have the same virtue and force as if it were inserted word for word in the said Treaty, that his most Christian Majesty shall allow, as by this present Article he does allow, the Emperor and the Empire to the first of November next, to accept of the terms of Peace propos'd last by his most Christian Majesty, pursuant to a Declaration made on the first Day of this instant September, if his Imperial Majesty and the Empire cannot agree any other way with his most Christian Majesty : And in case they do not within the said time accept of the said Conditions, or do not agree some other way with his most Christian Majesty, this Treaty of Peace shall have its full and entire force, and be executed according to its Tenour and Form, without being any way contraven'd by the said Catholick King, directly or indirectly, under any pretence whatsoever. In witness whereof we the Ambassadors of his most Christian and Catholick Majestys, by virtue of our respective Powers, have in their Names sign'd this separate Article with our own Hands, and put our Seals thereto, at the

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the Castle of *Reswick*, in the Province of *Holland*, September
20, 1697.

(L. S.) <i>N. Lillienroot.</i>	(L. S.) <i>Don Francisco</i>
(L. S.) <i>De Harlay Bonneuil.</i>	<i>Bernardo de Quiros.</i>
(L. S.) <i>Verjus de Crecy.</i>	(L. S.) <i>Count de Tire-</i>
(L. S.) <i>De Callieres.</i>	<i>mont.</i>

*A List and Declaration of the Reunions
made by the most Christian King, in
the Provinces of his Catholick Majesty
in the Low-Countrys, since the Treaty
of Nimeguen.*

Province of LUXEMBURG.

FRANCE possess'd it self of the Capital of that
Name, and five and thirty Villages and Hamlets,
named Provostships.

As also the Provostship of *Luxemburg*, consisting of three
Benches of Justice, viz. *Kundrigh*, or Clemency, *Putlange*,
and *Pettingen*.

Of the three Land Mayoralty's, which are *Bettemburg*,
Santweiles, and *Reckien*; and of three Mayoralty's, *Stein-*
fel, *Lingtgen*, and *Schiteringen*, consisting together of Se-
venty one Villages and Hamlets.

Of the Castle of *Bourge* and the Signiory of *Rhadenma-*
cheren, with Twenty Villages and their Dependencys.

Of the Castle and Signiory of *Kesperange*, with four
Villages.

Of *Ravil* and its Dependencys, consisting of Seventeen
Villages.

Of the Castle and County of *Ruffy*, which contain eleven
Villages.

Of the Castle and Bench of Justice of *Putlange*, consisting
of fifteen Villages.

Of

Of the Castle of the Signiory of *Preisch*, containing two Villages.

Of the Castle of *Agimont*, with its two Boroughs of *Givet*, and Hamlets depending thereon.

Of the Signiory of *Vilreux Walrand*.

Of the Territorys and Signiorys of the County of *Roche-ford*, with four Villages.

Of the Castle and Provostship of *Orchimont*, containing *Vienne*, and twenty other Villages and ten Signiorys within the limits thereof.

Of the Signiorys of *Chasse Pierre*, *Riviere*, *Fontenoylle*, *Santa Cecilia*, *Leschles*, *Maniles*, *Lugnon le Bortiffe*, *Ban d'Orto*, *Niarpan*, *Dochamps*, *Herbumont*, *le Ban de Batailles*, *Ban de Masson*.

Of the County of *Montaign*, with thirteen Villages and Hamlets.

Of *Cheffu*, and the Provostship of *St. Mard*, with sixteen Villages.

Of the Castle and Signiory of *Lathour*, *Montquinting*, *la Vaux*, *Gommery*, *Bassail*, *Rouette*, and *Villers la Loup*.

Of the Town and County of *Chiny*, with twenty seven Villages, Hamlets and Forges.

Of the Barony of *Jamaigue*, with five Villages and Hamlets.

Of the Signiory of *Neuchateau*, consisting of six and forty Villages and Hamlets.

Of the Borough, Franchise and Mayoralty of *Rennich*, with twenty four Villages and Hamlets.

Of the Bench of Justice of *Mackeren le Comte*, comprehending the Town and thirty four Villages and Hamlets.

Of the Signiory of *Wasser Billish*.

Of the Provostship of *Echternach*, containing the Town and thirty three Villages and Hamlets, distinguish'd by four Mayoraltyes, viz. *Osweiler*, *Izzel*, *Crenhen* and *Bol-lendorff*.

Of the Town and Provostship of *Biedburg*, consisting of the Franchise of *Dudeldorf* and thirty four Villages.

Of the Town and Provostship of *Dickrick*, which comprehends a Town and six and twenty Villages and Hamlets.

Of the Town and Provostship of *Arlon*, consisting of the Town and a hundred and twenty nine Villages and Hamlets,

Hamlets, making up fifteen Bans or Mayoralty, without comprehending the Forges and Furnaces.

Of the Signiory of *Pont des Oyes*, which contains two Villages, Hamlets and Forges.

Of the Mayor Town and Provostship of *Bastogne*, containing the Town and an Hundred and forty five Villages and Hamlets, consisting of ten Mayoralty.

Of the Town, Mayoralty and Provostship of *Marche*, comprehending the Town and nineteen Villages and Hamlets.

Of the Town and Provostship of *Durbuy*, which consists of the Town and seventy six Villages and Hamlets, divided into four Courts and nineteen Signiories.

Of the County of *La Roche*, containing the Castle, Town, and one and fifty Villages and Hamlets, divided into four Mayoralty.

Of the Signiory of *Beaufanicht*, with that of *Berloigne*, and two Villages, with their Dependencys.

Of the County of *Salm*, consisting of a Castle, Borough, and thirty two Villages, and Hamlets.

Of the County of *Vianden*, which comprehends the Castle, Town, and forty nine Villages and Hamlets, divided into six Mayoralty, to which several other Castles and Lands are Homagers by way of Hindfiefs.

Of the Land and Signiory of *St. Vith*, consisting of a Town and forty seven Villages and Hamlets, divided between six Courts.

Of the Signiory of *Munster*, containing twenty four Villages and Hamlets.

Of the Signiory of Mount *St. Jean*, which consists of four Villages and Hamlets, with an old ruin'd Castle.

Of the Castle and Signiory of *Differtange*, and *Sollure*, with three and twenty Villages and Hamlets, with their Dependencys.

Of the Castle and Signiory of *Bertrange*.

Of the Castle and Signiory of *Dansenburg*, with three Villages depending thereon.

Of the Castles and Signiory of *Hollensiez*, with twelve Villages and Hamlets.

Of the Castle and Signiory of *Marsch*, with fourteen Villages and Hamlets.

Of the Castle and Signiory of *Pitange*, with sixteen Villages and Hamlets.

Of the Signiory of *Hesperange*.

Of the Signiory of *Arloncour*, with three Villages.

Of the Signiory of *Meiſſemburg*, with fifteen Villages and Hamlets.

Of the Caſtle and Signiory of *Eiſbach*, with three Villages.

Of the Caſtle and Signiory of *Linſter* or *Linfers*, with nine Villages and Hamlets.

Of the Caſtle and Signiory of *Effingnen*.

Of the Signiory of *la Rochette*, with the Ruins of an old Caſtle, and fifteen Villages and Hamlets.

Of the Signiory of *Keringen*, with two Villages or Hamlets.

Of the Caſtle and Signiory of *Beaufort*, with eleven Villages and Hamlets.

Of the Caſtle and Signiory of *Berbourg*, with eleven Villages and Hamlets.

Of the Signiory of *Herberenne* and *Montach*.

Of the Caſtle and Signiory of *Rueland*, with twenty Villages and Hamlets.

Of the Caſtle and Signiory of *Ouren*, with fix Villages and Hamlets.

Of the Caſtle and Signiory of *Clairvaux*, with four and forty Villages and Hamlets.

Of the Caſtle and County of *Wiltz*, with three and twenty Villages and Hamlets.

Of the Caſtle and Signiory of

Of the Caſtle and Signiory of *Eſch* or *Aiſe*, conſiſting of two and twenty Villages and Hamlets.

Of the Caſtle and Signiory of *Bourgſcheilt*, with twelve Villages and Hamlets.

Of the Town, Caſtle and Signiory of *New-Warbourg*, with fifty two Villages and Hamlets.

Of the Franchiſe of *Waſwiller*.

Of the Caſtle and Signiory of *Brandenbourg*, with fix Villages and Hamlets.

Of the Caſtle and Signiory of *Keyll*, with three Villages.

Of the Caſtle and Signiory of *Falckenſtem*, with three Villages and Hamlets.

Of the Caſtle and Signiory of *Bethingen*, with nine Villages and Hamlets.

Of the Caſtle and Signiory of *Ham*, with four Villages and Hamlets.

Of

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Of the Signiory of *Brouch*, wick twelve Villages and Hamlets.

Of the Signiory of *Malberg*, with three Villages and Hamlets.

Of the Signiory of *Rospoxte*, with six Villages and Hamlets.

Of the Castle and Signiory of *Mirceart*, with one and twenty Villages and Hamlets.

Of the Castle and Signiory of *Focan*, with three Villages and Hamlets.

Of the Signiory of *Rachampt*, with one Village and Hamlet.

Of the Signiory of *Ayvaille*, with eight Villages and Hamlets.

Of the Signiory of *Harret*, with three Villages and Hamlets.

Of the Signiory of *Baseille*.

Of the Signiory of *Chene*, with three Villages and Hamlets.

Of the Castle and Signiory of *Witry*, with four Villages and Hamlets.

Of the Castle and Signiory of *Ussedange*, with eighteen Villages and Hamlets.

Of the Castle and Signiory of *Aubel*, with six Villages and Hamlets.

Of the Castle and Signiory of *Gersch*, with fifteen Villages and Hamlets.

Of the Castle and Signiory of *Koerich*, with five Villages and Hamlets.

Of the Castle and Signiory of *Seven Fountains*, with ten Villages and Hamlets.

Of the Signiory of *Wirickren*, with six Villages and Hamlets.

Of the Land and Signiory of *St. Hubert*, with a Borough and six Mayoraltyes.

Of the Signiory of *Walchinger* and *Lanzen*.

Of the Town, Castle and Signiory of *Schleiden*, with thirty six Villages and Hamlets.

Of the Castle and Signiory of *Cronenburg*, with thirteen Villages and Hamlets.

Of the Castle and Signiory of *Manderscheit*, with the Villages and Dependencys.

Of the Castle and Signiory of *Schiriflet*, consisting of two Villages and Hamlets.

Of

Of the Court of *Tommen*, containing two and twenty Villages and Hamlets.

Of *Haceville*, which consists of three Villages.

Of the Castle and Signiory of *Meerstorf*, with three Villages.

Of the Castle and Signiory of *Holremburg*, with two Villages.

Of *Sterpigny*.

Of the Castle and Signiory of *Apsbourg*, consisting of thirty four Villages and Hamlets.

Of the Castle and Signiory of *Sinfled*, consisting of four.

Of *Scharfflichen*, twelve Villages and Hamlets.

Of the Castle and Signiory of *Dome* and *Dentbourg*, containing four Villages and Hamlets.

Of *Mehret Bettenfelt*.

Of the Castle and Signiory of *Sohyer*.

Of *Ban Desclassin*, consisting of three Villages and Hamlets.

Of *Redu*.

Of *Esclaye*.

Of the Castle and Signiory of *Barin*, consisting of five Villages and Hamlets, comprehending therein *Dionvaux*, tho' France hath annex'd it to the Territory of *Agimont*.

Of *Hansurlasse*, containing three Villages and Hamlets.

Of the Castle and Signiory of *Houffalize*, containing three Villages and Hamlets.

Of the Signiory of *Wibren*, with two Villages.

Of *Humain*.

Of the Castle and Signiory of *Walia*, consisting of two Villages.

Of the Signiory of *Baude*.

Of the Castle and Signiory of *Soi*, consisting of six Villages and Hamlets.

Of the Castle and Signiory of *Diverdis*.

Of the Castle and Signiory of *Jeneppe*.

Of the Castle and Signiory call'd *Dochain*, consisting of six Villages and Hamlets.

Of the Castle and Signiory of *Rollet*, consisting of nine.

Of the Castle and Signiory of *Mount Jardin*.

Of the Castle and Signiory of *Jevigny*, which consists of six.

Of the Signiory of *Momppe*.

Of the Castle and Signiory of *Laval*, of three!

Of *Villers la Loup*.

Of *Chefnoy*.

Of the Castle and Signiory of *Cuette la Grand*.

Of the Castle and Signiory of *Soignel St. Remy*, consisting of two Villages.

Of the Signiory of *Ville Haimont*, consisting of nine Villages and Hamlets.

Of the Castle and Signiory of *Villars devant Orval*.

Of the Signiory of *St. Mary*.

Of the Signiory of *Orval*, with four Villages and Hamlets.

Of the Castle and Signiory of *Dorchereffe*.

Of the *Vance*, which consists of two Villages.

Of the Castle and Signiory of *Boulogne*, containing five.

Of the Castle and Signiory of *Herbemont*, containing seven.

Of the Castle and Signiory of *Everlange*, consisting of nine Villages and Hamlets.

Of the Signiory of *Nasloigne*.

Of the Castle and Signiory of *Grune*.

Of the Provostship of *Estal*, consisting of fourteen Villages and Hamlets, divided into three Mayoralty.

The Territory and Signiory of *St. Hubert*, consisting of six Mayoralty or Fealty, with several Villages depending thereon.

N A M U R.

France since the Treaty of *Nimeguen* hath seiz'd in the Province of *Namur*, the Provostship of *Poivvache*, which contains the following Mayoralty, Bans, Lands, Territories, Villages and Hamlets.

The Mayoralty of *Rendarche*, consisting of these Villages.

Of *Lustin*, *Malien*, *Leurier*, with its Castle; *Sorinne* the long, *Assesse*, *Jassoigne*, *Wauremont*, with its Castle.

The Hamlets of the Castle of *Roncinne d' Ivoix*.

The Castle of *Assesse*, the Castle of *Estroy*, *Corioul*, *Poivvache*, *Brochan*, *Millier*, the Lands of *Jassoigne*.

The Mayoralty of *Emptines*, containing the Villages of *Emptines*, *Emptinelle* and *Hattoy*.

And the Hamlets of *Franceffe la Gaillard les Fontaines*, *Champillieu le Sarts*.

The Mayoralty of *Falmaigne*, including the Village Of *Falmaigne*, the Castle of *Thiry* depending thereon, which is demolish'd, and *Hulsoniaux*.

Ban of *Lignon*, consisting of Villages and Hamlets. Of *Lignon*, *Chapoyonchipe*, *Ronvaux*, *Corbion* and *Barsinable*.

Ban of *Soy*, viz. the Village of *Soy*, and *Mohiville* its dependent.

The Territory and Barony of *Gesves*.

The Hamlets, *Houyoux*, the Forges, Farm of *Chamont*, *Pourin*, *Preit d'Hamide*, *Houde* and *Frainesse*, all dependent on the said Territory of *Gesves*.

Particular Villages depending also on the said Provostship.

Oriay and *Reppe*, with their Dependencys, *Wallay*, *Halyot* and *Chaltin*, with the Hamlets of *Maibes* and *Frisle* as Dependencys, *Valin Houren famine*, *Sorinee* on the *Dinant*, *Boisalle*; Village and Castle of *Spontin*, and the Hamlets of *Durnalle*, *Myancye* and *Dorinne* in dependence, *Ivesne*, *Filec*, *Hodomont*, with the Hamlet of *Jullet* in dependence, *Hargnies*, the two *Bourseignes*, viz. the new and the old, *Maisnil*, *Saint Blaise*, *Haibes* and *Pondrome*.

The Forests of *Auwez*, *Comisse*, *Lasche*, *Lerbois*, the little and great *Fail*, which consists of between seven and eight hundred Cops, belonging to his Majesty, as also some Dutys, Tithes, Rents, Taxes and other Revenues of his Domain, which were seiz'd in the Months of *November* and *December*, 1681.

France also in the Year 1682 seiz'd on the Forests of the higher and lower *Arche*.

And towards the Month of *April* 1680. the Priory of *Hastier* upon the side of the *Meuse*.

The Mayoralty of *Hour*, which contains the Villages of *Hour Sous Poilvache*, *Iwar*, *Eurehaille*, *Jodinne Lisoigne*, *Purnot*, *Awaigne*, and the Hamlets of *Bauche*, *Jayolle*, *Futvoy*, *Venatte*, *Champalle*, *Hugomont*, *Bloimont*, *Montchavez*, *Frapeuli*, *Fresne*, *Tailfer*, *Seignioul*, *Loys* and *Loyers*.

The Mayoralty of *Bovignes*, which comprehends the Town and Franchise of *Bovignes*, some Houses on both sides, with the great Custom of *Metz*, and fifteen or sixteen Houses opposite to the said Town, on the other side of the *Dinant*.

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The Mayoralty of *Anthée*, consisting of the Villages of *Anthée*, the Height *la Vastia*, *Riviere*, *Sommiere*, *Melin*, *Marinne* and *Orhaye*.

And of the Hamlets of the little Custom-house of *Metz*; *Grange*, *Rostenne*, *Ohept*, *Hentoir*, with its Castle, *Chestrean*, *Vespin*, *Flun*, *Welin* and *Serenne*.

The Bailiwick of *Bovignes*, between the *Sambre* and the *Maeze*, which contains the following Bans, Lands, Abbys, Castles, Villages and Hamlets.

The Ban of *Waulsoir*, containing

The Villages and Abbys of *Waulsoir*, *Lulme*, *Hastir la Taux*, and *Hastir* beyond the *Gerin*.

And the Hamlets of *Ermetton* on the *Maez*, Mount *Remree*, *Stair*, and *Ponrenne*.

The Ban of *Anthée*, containing

Anthée, *Mianoye*, *Morville*, and *Fontaine* with its Castle; The Land and Franchise of *Biesme la Colonoise*, consisting of the Villages of *Biesme*, *Heversee*, *Free*, *Wagnies*, *Rest*, *Sart*, *Astache* and *Gognies*.

The Territory of *Gerpinne*, which contains the Village and Borough of *Gerpinne*.

And the three Hamlets of *Alle Flage*, *Fromignee*, and *Rignee*.

The Territory of *Thy*.

Which consists of the Villages of *Thy*, with its Castle; *Ansée*, *Chastret*, *Fourdinne*, *Tursinne*, and *Feroulle*.

And the Hamlets of *Maisnil*, *le Lievre*, and *Vouerie de abusée*.

The particular Villages depending upon the Bailiwick of *Bovignes*, *Flavion*, *Rosée*, with its Hamlets of *Jusenme*, *Biescée*, *Ermetton* upon the *Bierre*, *Stave*, *Steir*, *Mertienné*, *Montenelle*, part of *Chatillon Mattignol*, *Romree*, *Feppin*, *Berée* with its Castle, *Acos* with its Castle, *Villers la Potterie*, *Cheret Fourmeau*, *Serville*, *Avelay*, *Arbre*, *Profondeville*, *Esves*, *Bioulx*, *Graux*, *Romignee*, *Messe*, *Refelle*, *Rosière*, and the Wood of *Villers*.

The Bailiwick of *Montaigle*, which consists of the following Villages and Hamlets.

The Ruins of the old Castle of *Montaigle*, *Falean*, *Montaigle Town*, the Forge at *Montaigle*, *Salet*, *Fain*, *Corbay*, *Senemont*, *Warbant*, *Hun*, *Envoye*, *Rouillon*, the Furnaces, Forges and Founding-houses of *Molin* and *Abbaye*.

The Mayoralty of *St. Gerard*, which contains the Village *Braigne*, with the Monastery.

The Hamlets of *Maison*, *Gonois*, *Sofoye*, *Maredret*, the Custom-houses of *Montigny*, *Libinne*, *Behoude* and *Heraude*.

Bans, or Places between the *Sambre* and the *Maes*.

The Village of *Folz*, the Hamlets of *Haye*, *Afolz* and *Wepion*.

Between the *Sambre* and the *Maes*, and the Dependencies of this Province, are also included the Forests of the higher and lower *Merlaigne*, which contain Four Thousand and Three Hundred *Bonniers* and upwards: The Forest of *Biert* and its Dependencies, Fifteen Hundred and Ninety; the Wood of *Biesme*, with *Halloy*, and the old Furnace, with other Appurtenances, five hundred and forty *Bonniers*; and the Tithes, Tolls, Rents, and several other Domains and Revenues belonging to his Majesty, with several Fields depending upon the Castle of *Namur*.

France after the Treaty of *Nimeguen*, in order to possess the Town of *Walcourt* and the Village of *Bioulx*, (even after the Treaty for a Truce) caus'd *Palisadoes* to be put up in the Neighbourhood of the Castle of *Namur*, under pretence that they had extended their Possession before the said Truce as far as the said Village: But that these *Palisadoes* might be remov'd, and Bounds fix'd, the *Spaniards* by the Treaty made at *Philipville*, on the 4th of *Jan.* 1687. were oblig'd to leave *France* in possession of the said Town of *Walcourt*, and of the said Village of *Bioulx*, on the same Terms, Forms and Conditions, as *France* by the said Truce continu'd to enjoy all the Places, she had occupi'd since the Treaty of *Nimeguen*: Which particular Treaty made at *Philipville*, shall be void by the Treaty of Peace now propos'd.

H A Y N A U L T.

The Principality and Provostship of *Chimay*, with the Villages, Hamlets and Rights depending thereon, viz.

The Town of <i>Chimay</i> .	<i>Sceloigne</i> .
<i>St. Remy</i> .	<i>Robechies</i> .
<i>Forges</i> .	<i>Baumez</i> .
<i>Bourlez</i> .	<i>Montmignies</i> .
<i>Boutonville</i> .	<i>Macon</i> .
<i>Bailiore</i> .	<i>Imbreches</i> .
<i>Villers la Tour</i> .	<i>Monceau</i> .

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Estroeing la Cauchie, and its Hamlets.
Feron.
La Roulie.

the Provostship of Beaumont, with its Dependences and tenances, which consist of the Towns of

Mont. Monbliart.
ies. Cerfontaine.
erval. Ferieres les Grandes.
not. Rosier.
St. Gery. Beaufort & Robechies.
ieu & Frallies. Grandreng.
Rocque.
hapelle & Fourbechies. Leunies.
The Town of Chievries.

Villages seiz'd.

t of the Bourgade of Anthony, Fontenoy, Veron, Vaux, ray, and Brasmanil.

e Villages of Maulde, Pipaix, Giffignies in the Pipaix, t, Werme, Parish of Wieres, Ogimont, Seigneurieul, Quesnoy at Pottes, Bourgeon, Parish of Fontenay, Gramand Parish of Thieulain, part of Anthony reputed free le Breuch a foret, Mourcourt, Herines, Wasmes and tte.

e Town of Bishops Fountain, the Village of Thiverelles, x Hundred Bonniers, or Inclosures.

e Villages of Anderlues, the Abby of Aumont and ere, with the Farms of Warnenriex, Forest and the n the Wood.

F L A N D E R S.

e Town of Renaix.

e Town of Loo.

e Town of Roulers.

d the Villages of Meuregem, Waterolist, Vendeville, emars, Billau, and the Castle of la Motte in the d, with its Dependences.

e Wood of Nieppe.

e Wood of Osthulst.

*A Treaty of Peace between the Emperor
Leopold and the Empire on the one
part, and Lewis XIV. of France, on
the other; concluded at Relswick, Oct.
30, 1697.*

In the Name of the Holy Trinity. Amen.

BE it known unto all whom it may concern, That seeing for some Years past a cruel War has been wag'd, to the Effusion of much Christian Blood, and the Desolation of many Provinces, between the most Serene and most Potent Prince and Lord *Leopold*, elect Emperor of the *Romans*, always *August*, King of *Germany*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia*, *Sclavonia*, Arch-Duke of *Austria*, Duke of *Burgundy*, *Brabant*, *Styria*, *Carinthia*, *Carniola*, Marquess of *Moravia*, Duke of *Luxemburg*, of the Upper and Lower *Silesia*, of *Wirtemberg* and *Tecka*, Prince of *Swabia*, Count of *Hapsburg*, *Tyrol*, *Kyburg* and *Goritia*, Marquess of the Sacred Roman Empire, of *Burgovia*, and the Upper and Lower *Lusatia*, Lord of the Mark of *Sclavonia*, of *Port Naon*, and the Salt-pits, &c. and the Sacred Roman Empire, on the one part; and between the most Serene and most Potent Prince and Lord *Lewis XIV.* the most Christian King of *France* and *Navarre*, on the other part: His Sacred Imperial Majesty and his Sacred and most Christian Majesty, in order to put an end, as soon as may be, to those evils that daily increase to the Ruin of *Christendom*, have seriously apply'd their Minds; and so it is, by the Blessing of God, and the Endeavours of the most Serene and most Potent Prince *Charles XI.* King of *Sweden*, of the *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Schonen*, *Esthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Cassubia* and *Vandalia*, Prince of *Rugen*, Lord of *Ingria* and *Wismar*, as also Count Palatine of the *Rhine*, Duke of *Bavaria*, *Fuliers*, *Cleve* and *Berg*, &c. of famous Memory; who presently after the beginning of the War, ceas'd not to use his Endeavours to persuade the Christian Princes

Princes to a Peace, and afterwards was universally receiv'd as Mediator, to bring the same effectually to pass, in which good Work he labour'd gloriously to the time of his death, that a solemn Treaty was set on foot to this end in the Palace of *Reswick* in *Holland*, and the same was happily accomplish'd after his Decease, by the like Endeavours and Concerns for the Publick Tranquillity of his Son and Successor, the most Serene and most Potent Prince and Lord *Charles XII.* King of *Sweden*, of the *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Schonen*, *Esthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Cassubia* and *Vandalia*, Prince of *Rugen*, Lord of *Ingria* and *Wismar*, as also Count Palatine of the *Rhine*, Duke of *Bavaria*, *Ju-liers*, *Cleve* and *Berge*. Wherefore the Ambassadors Extraordinary and Plenipotentiarys, legally authoriz'd on both sides, meeting in the said Place, those on the part of his Imperial Majesty, being the most illustrious and most excellent Lord *Dominicus Andreus*, of the Sacred Roman Empire, Count of *Kaunitz*, Hereditary Lord in *Austerlitz*, *Hungarischbrod*, *Mahrishchprug*, and the greater *Ozzechau*, Knight of the Golden Fleece, Counsellor of State to his Imperial Majesty, Chamberlain and Vice Chancellor of the Empire, the Lord *Henry John* of the Holy Roman Empire, Count *Stratman* and *Puerbeck*, Lord of *Orth*, *Schmiding*, *Spatenbrum* and *Carlsberg*, Aulick Counsellor to his Imperial Majesty, and Chamberlain; the Lord *John Frederick*, free and noble Baron of *Silern*, Aulick Counsellor to his Imperial Majesty, and Plenipotentiary Commissioner in the Assemblys of the Empire: and in the Name of his most Christian Majesty, the most illustrious and excellent Lord *Nicholas Augustus de Harlay*, Knight, Lord of *Bonneuil*, Count of *Cely*, Counsellor in ordinary to his Majesty in his Council of State; the Lord *Lewis Verjus*, Knight, Counsellor in ordinary to his Majesty in his Council of State, Count of *Crecy*, Marquess of *Freon*, Baron of *Couway*, Lord of *Boullay*, of the two Churches in *Fort-Isle*, and other Places; and the Lord *Francis de Callieres*, Kt. Lord of *Callieres*, *Rochechelly* and *Gigny*; by the Intervention and Endeavours of the most illustrious and excellent Lord, the Lord *Charles Bonde*, Count of *Biorno*, Lord of *Hestebz*, *Tyrescho*, *Tostholm*, *Graftsteen*, *Gustafsberg* and *Rezitza*, Senator to his Swedish Majesty, chief President of *Dorpt* in *Livonia*; and the Lord *Nicholas*, free Baron of *Lillienroot*, Secretary of State to his Sacred Imperial Majesty, and Ambassador Extraordi-

traordinary to the high and mighty Lords the States General of the *United Provinces*, both of them constituted Ambassadors Extraordinary and Plenipotentiarys for promoting a general Peace; who discharging the Office of Mediators with Diligence, Integrity and Prudence, the Plenipotentiarys of the Sacred *Roman Empire*, and of the Electors, Princes and States thereof, being present, assenting and consenting, after having invoc'd the Divine Assistance, and exchang'd their full Powers, have, to the Glory of God, and the Good of *Christendom*, agreed upon the following Articles.

I. That there shall be a Christian, general and perpetual Peace and true Friendship between his Sacred Imperial Majesty and his Successors, and the whole sacred *Roman Empire*, Kingdoms, hereditary Dominions, Subjects and Vassals on the one part, and his most Christian Majesty, and his Successors, Subjects and Vassals, on the other part: and the same shall be so sincerely kept and cultivated, that neither Party shall do any thing to the disadvantage and prejudice of the other, under any pretence whatsoever; neither are they to give any Assistance to any whatever that have a mind to do an Injury to either, be it under what name it will; nor to receive, protect nor assist any of the Rebels, or refractory Subjects of either Party, upon any account or suggestion whatsoever; but both sides shall rather seriously promote the Honour, Benefit and Utility of each other, notwithstanding and annulling any Promises, Treatys and Leagues, with whomsoever made or to be made to the contrary.

II. There shall be a perpetual Amnesty and Oblivion on both sides, of all manner of Hostilities, where, and which way soever committed; so that neither Party shall directly nor indirectly, under the colour of Right, or by way of Fact, upon any cause or pretence whatsoever, do any injury or cause any trouble to the other, or suffer the same to be done; but all and singular Injuries and Violences, by Words, Writings or Fact, shall from henceforward, without any respect to Persons or Things, be utterly abolish'd; so that whatever can be pretended upon that account to be had against each other, shall be bury'd in perpetual Oblivion: And all and singular the Subjects and Vassals of both Partys shall enjoy the benefit and advantage of this Amnesty; so as that none of them shall be injur'd, for having adher'd to this or that side, but they shall be fully restor'd to the Honours and Estates they enjoy'd

joy'd immediately before the War broke out, saving as to such things, which in reference to Ecclesiastical Benefices, Movables and Emoluments, are otherwise in the following Articles particularly settled.

III. The Treatys of *Westphalia* and *Nimeguen* are to be the Basis and Foundation of this Peace, and the same shall forthwith be fully put in execution, presently after the Exchange of the Ratifications, in respect to sacred and secular things, unless now otherwise expressly agreed on to the contrary.

IV. In the first place Restitution shall be made to his Sacred Imperial Majesty and the Empire, and to the States and Members thereof, by the most Christian King, of whatever was seiz'd as well during the War, and by way of Fact, as under the Names of Unions, be they Places or Jurisdictions situate in *Alsatia*; as also under the name of Reunions, all Decrees, Arrets and Declarations being made void, which upon that account have been put forth by the Chambers of *Metz* and *Besanson*; as also the Council of *Brisac*: and all things shall be brought into the same State they were before such Seizures, Unions or Reunions were made, and are for the future no manner of way to be alter'd or incommoded; but yet so as that the Roman Catholick Religion shall continue in the State 'tis at present, in the Places to be so restor'd.

V. And tho by these general Rules it may easily be discern'd what, and how far things are to be restor'd, however, at the Request of some Partys, and for particular Reasons, it's thought fit to make mention of some things in a more peculiar manner, but yet so, as that the things not put in by name, shall not be look'd upon as omitted, but shall have the same Right and Place altogether as those nam'd have.

VI. Particularly the City of *Triers* shall be restor'd to the Elector of that Name and Bishop of *Spire*, in the Condition it is, without any demolishing, or any way damnifying of publick or private Edifices, together with the Artillery found therein, when it was last taken; and all things set down in the preceding Article concerning Possessions, Unions and Reunions, are especially to be deem'd and constru'd for the benefit of the Churches of *Triers* and *Spire*.

VII. The Elector of *Brandenburg*, together with his Dominions, Possessions, Subjects and Jurisdictions, and those by name which belong to him by the Treaty made

May

May 29, 1679. as if they were particularly set down here, shall enjoy all the Benefits of this Peace, and be fully comprehended therein.

VIII. The most Christian King shall restore to the Elector Palatine all the Dominions that either belong to him alone, or that are in common with others, let them be call'd by what name they will, and more particularly the City and Prefecture of *Germerheim*, wherein are comprehended the Presidentships and Subprefectures, with all the Castles, Cities, Towns, Villages, Lands, Feudships and Jurisdictions, as they were restor'd by the Peace of *Westphalia*, as also all the Documents in the Archive, Chancery, Feudal Court, Chamber of Accounts, Prefectures, and other Palatine Offices that have been taken away; no Place, Thing, Right or Document to be excepted. But as to what appertains to the Rights and Pretensions of the Dutchess of *Orleans*, it's agreed, that the foresaid Restitution being first made, things shall be compromis'd according to form between their Imperial and most Christian Majestys, as Arbitrators, according to the Laws and Customs of the Empire: But in case they cannot agree, the matter shall be left to the final decision of the Pope. However, an amicable Agreement shall in the mean time be endeavour'd between the Partys; and till 'tis brought to a Conclusion, the Elector Palatine shall yearly pay to the Dutchess of *Orleans* two hundred thousand *Tournay* Livres, or a hundred thousand *Rhenish* Florins, upon that Account and Consideration, as 'tis express't in a separate Article of equal force with this Treaty, and as well in respect to the Possessor as Suer, the Rights of the Empire being still kept inviolable.

IX. The King of *Sweden*, as Count Palatine of the *Rhine*, Count of *Sponheim* and *Veldentz*, shall have the old Dutchy of *Deuxponts* restor'd to him whole and entire, with its Appurtenances and Dependences, and those Rights which his Royal Majesty's Predecessors, the Counts Palatine, and the Dukes of *Deuxponts*, have enjoy'd, or might have enjoy'd, according to the Peace of *Westphalia*: So that all things, by what Title soever the Crown of *France* hath hitherto pretended to them, possess'd and reunited, either in the whole or in part, shall wholly return into the hands of his *Swedish* Majesty and his Heirs, Counts Palatine of the *Rhine*; the Records also belonging to the said Dutchy, together with the Artillery found therein at the time it

was possess'd, and all other matters as agreed on in the preceding Articles, in favour of things to be restor'd.

X. As to the Principality of *Veldentz*, and that which under the name of the said Principality, or that of *Lauzerec*, the late Prince *Leopold Lodowick* Count Palatine of the *Rhine* possess'd, they shall be restor'd according to the fourth Section, and List given in by the *French* Ambassadors, saving the Rights of all Pretenders, as well in reference to the Possessor, as Suer, or Plaintiff.

XI. *France* shall wholly restore to the Grand Master of the Teutonic Order and Bishop of *Worms*, viz. to Prince *Francis Lewis* Count Palatine, the Advowsons antiently given and possess'd by the illustrious Order, Places, Revenues and Rights; and the said Order shall enjoy, in respect to the Advowsons and Estates that are within the *French* Dominions, whether upon the account of Collation or Administration, the same Uses, Privileges and Immunities which heretofore they enjoy'd, according to their Rules and Statutes, and in the same manner as the Order of *St. John of Jerusalem* was wont to enjoy them. Whatever also is agreed on in this Peace, as to the Restitution of Places, Contributions and other things, shall take place with respect to the Bishoprick of *Worms*, and the other Churches of the Prince.

XII. The Town and Castle of *Dinant* shall be restor'd to the Elector of *Cologne*, as Bishop and Prince of *Liege*, in the condition it was when taken, together with all its Rights and Dependences; as also the Artillery and Records found therein. Moreover, all things regulated in the fourth Article concerning Occupations, Unions and Reunions, are particularly to be accounted as repeated here in favour of the Churches of *Cologne* and *Liege*.

XIII. The House of *Wirtemberg*, and particularly Duke *George* shall for himself and his Successors be restor'd upon the account of the Principality or County of *Mompelgard*, into that State, Right of Prerogatives, and more especially into that immediate dependence upon the Sacred *Roman* Empire, that he enjoy'd before, and such as the other Princes of the Empire enjoy, or ought to enjoy; that Recognition of Vassalage made to the Crown of *France* in 1681. being utterly void and of no effect. Moreover, the said Princes shall freely enjoy all the Incomes appertaining to them, whether Secular or Ecclesiastical, as they enjoy'd them before the Peace of *Nime-*
guen:

£66 *Treaty of Peace at Reswick, between*

guen: so they shall also all their Feudships or Tenures, which belong'd to them in the time of the *French* Detention of them or otherwise, and not by them granted to others, excepting the Territory of *Baldenheim* with its Appurtenances, which the most Christian King hath given to Monsieur de Chamlay, Quartermaster General of his Armys, and which he is allow'd to keep; but yet so, as that he be oblig'd to do Homage to the Duke of *Wirtemberg* as his direct Lord, and his Successors, and to desire of him to renew the same: They shall also restore to, and set at free and full possession, as well *Clerevant* and *Passavant*, their *Burgundian* Fiefs, as the Dynastys of *Granges*, *Herricourt*, *Blamont*, *Chatelot*, and *Clermont*, and the rest situate in the County of *Burgundy*, and the Principality of *Mompelgard*, with all their Jurisdictions and Revenues, in so full manner as they were possess'd before the Peace of *Nimeguen*; those things being utterly abolish'd which were done or pretended to the contrary, under what Title, at what time, and in what manner soever they be.

XIV. The Marquisate House of *Baden* shall enjoy all the Rights and Benefits of this Peace, and so also, of the Treatys of *Westphalia* and *Nimeguen*, and especially the fourth and fifth Articles.

XV. In the same manner the Princes of the House of *Nassau*, *Hanaw* and *Leiningen*, and all other States of the Sacred *Roman* Empire, who by the fourth Article of this Treaty or others are to be restor'd, shall be restor'd to all and singular their Dominions, Profits, Incomes, and Appurtenances, and even to all their Rights and Benefits, by what name soever they are distinguish'd.

XVI. The better therefore to establish and secure this Peace, it has been thought proper here and there to make the Exchange of some Places; and so his Imperial Majesty and the Empire yield unto his most Christian Majesty and his Successors, the City of *Strasburg*, and what appertains to the same on the left side of the *Rhine*, with all the Jurisdiction, Property and Supreme Dominion, which hitherto belong'd to him and the *Roman* Empire over the same, or which might belong unto them, all and singular of which are transfer'd to the most Christian King and his Successors; so as that the said City, with all its Appurtenances and Dependences on the left side of the *Rhine*, shall, without any reservation, with all sorts of Jurisdiction, Superiority

riority and Supreme Dominion, from thenceforward belong to the most Christian King and his Successors for ever, and be understood to be incorporated with the Kingdom of *France*, without any Contravention from the Emperor, Empire, or any other whatsoever. And for the greater validity of this Cession or Alienation, the Emperor and the Empire, by virtue of this present Treaty, do expressly derogate from all and singular the Decrees, Constitutions, Statutes and Customs of the Emperor, his Predecessors, and of the Sacred *Roman* Empire, tho confirm'd, or hereafter to be confirm'd by Oath, particularly from the Imperial Capitulation, so far forth as any manner of Alienation of the Rights and Jurisdictions is forbidden; all which they do expressly renounce, and the said City together with its Magistrates, Officers, Citizens, and all its Subjects are discharg'd from their Oaths and Engagements they were hitherto under to the Emperor and the Empire, and they are free to give that Subjection, Obedience and Fidelity to the most Christian King and his Successors, and so the most Christian King is put into a full and just Property, Possession and Superiority over the same; and all Rights and Pretensions to it are from henceforward and for ever renounc'd to him, and so the City of *Strasburg* is expung'd out of the Roll of the Empire.

XVII. It shall be free for all and singular the Inhabitants of the said City and its Dependences, be they of what Condition they will, that have a mind to remove, to go and dwell where they please, together with their Movables, without any Impediment, Detraction or Exaction, within a year after the Ratification; and after five years time, if they have perform'd the Conditions there of old practis'd in such Cases, they may either sell their Movables, or keep them themselves, or by others they shall appoint to manage them: All other the Members, or mediate or immediate Subjects of the Empire, shall have the same liberty to retain themselves, or to have manag'd by others, the Goods, Rents, Debts, Suits and Rights they have in the said City and its Appurtenances, whether they have always had them, or that during the War, or before it, they have been confiscated or taken away and granted to others, which by this Convention are to be restor'd, whatever Name they go by, and wherever they live; but with a *Salvo* still to the Ecclesiastical Jurisdiction of those to whom formerly it did belong;
neither

neither shall it ever be lawful to impede the same, and the Execution thereof.

XVIII. On the other hand his most Christian Majesty shall, within thirty days after the Exchange of the Ratifications, restore to the Emperor and the Empire, together with all its Rights and Dependences, the Fort of *Kehl*, built by him on the right side of the *Rhine*; but the Fort of *Pille*, and the others in the *Rhine* or the Islands thereof, shall be entirely demolish'd within the space of one month or sooner if it can be done, at the most Christian King's Charge, and never any more to be rebuilt; the Navigation of the River, and the other Uses thereof, shall be equally free for the Subjects of both Partys, whether they have a mind to go away by it, to navigate or carry Merchandizes thereon: And nothing shall ever be done either on the one or the other side, there or elsewhere, to turn the Course of the River, or to render the Navigation or other Uses thereof the more difficult upon any account; much less shall new Tolls, Money for Carriages or Exactions be made, or the old ones augmented, or the Ships which pass along be compell'd to go more to one Bank than another, or to expose or receive their Lading and Merchandize: But this ought to be left freely to the Will and Inclination of every body as they list.

XIX. His most Christian Majesty also yields to his Imperial Majesty, and the most Serene House of *Austria*, the City and Castle of *Eriburg*, the Fort of *St. Peter*, and that call'd the *Star-Fort*, with all the Works newly erected or repair'd there or elsewhere along the *Black Forest*, and the rest of the *Brisgaw*, in the State they are now, without demolishing or weakning any part thereof, together with the Villages of *Leben*, *Metzhauzen* and *Kirchzarth*, with all manner of Jurisdiction, as it was yielded to his Royal Majesty by the Peace of *Nimeguen*, or possess'd and exercis'd by him; as also the Archives, and all the Records and Documents found therein at the time it was taken, whether the same are still kept there, or carry'd elsewhere; but still with a Reservation of the Diocesan, and other Rights and Emoluments appertaining to the Bishoprick of *Conflans*.

XX. In like manner his most Christian Majesty makes over to his Sacred Imperial Majesty and the House of *Austria*, the Town of *Brisac* entire, in its present State, to
gethe

gether with the Granarys, Armorys, Works, Ramparts, Walls, Towers, and other publick and private Edifices, with all its Dependances on the right side of the *Rhine*; but those that are on the left side, together with the Fort call'd *le Mortier*, are to continue in the possession of his most Christian Majesty; and the new City, as 'tis call'd, which stands on the left side of the *Rhine*, as also the Bridge and the Works built in the Island of the *Rhine*, shall be entirely destroy'd and level'd with the ground, and neither of the Partys is at any time to rebuild the same. Moreover, the same liberty is allow'd to quit *Brisac*, as is agreed upon in respect to *Strasburg*.

XXI. All the said Places, Citys, Castles, and Forts, together with all the Districts, Dependances, and Appurtenances of the same, shall by the most Christian King be restor'd and deliver'd to his Imperial Majesty, without any Reservation, Exception, or Detention, with all manner of Sincerity, and without forming any Delay, Impediment or Pretence to the contrary, or to those who after the Ratification of this Peace shall be particularly nominated and constituted by his Imperial Majesty for that purpose: And they shall upon that account give assurance to the Commanders, Governours and *French* Officers, upon the Evacuation of the Places, so as that the said Citys, Towns, Forts and Places, together with all the Prerogatives, Profits and Emoluments, and every thing comprehended therein, shall return into the Power, actual Possession, and under the Dominion of his Imperial Majesty and the House of *Austria*, and shall remain for ever in the same as formerly they did, and hitherto have been possess'd by his most Christian Majesty, it being so understood, that *France* shall pretend to the Reservation of no manner of Right to the said Places and their Districts. Neither moreover is there any thing to be demanded for the Charges and Expences she has been at upon the Fortifications and other publick or private Edifices: neither shall the full Restitution of the same be retarded upon any account whatsoever, within thirty days after the Ratification of the Peace; so that the *French* Garisons shall be entirely withdrawn from thence, without doing any hurt or damage, or other inconveniency to the Citizens and Inhabitants, or any other the Subjects of the House of *Austria* whatsoever, under the denomination of Debt or any other pretences: neither shall it be lawful for the

French Soldiers, in evacuating the Places, or any other that do belong to his most Christian Majesty, to tarry any longer to fix their Winter-Quarters and Stations there; but they are forthwith to withdraw into the proper Dominions of the Crown of *France*.

XXII. Upon the same account the Fortres of *Philipsburg* shall be restor'd to his Imperial Majesty and the Empire, with all the Works made on the right side of the *Rhine*, as also all the Cannon therein, at the time it was last taken; but still with an entire Reservation of the Rights of the Bishoprick of *Spire*: and in respect to that particular, the fourth Article of the Treaty of *Nimeguen* is to be esteem'd as if it were expressly repeated in this place. But the Works built on the left side of the *Rhine*, together with the Bridg erected by the most Christian King after he had possess'd himself of it, shall be demolish'd.

XXIII. The most Christian King shall be oblig'd at his own charge to demolish the Works over against *Hunningen* on the right side and in the Island of the *Rhine*: and at the same time the Land with the Building upon it shall be restor'd to the House of *Baden*; the Bridg also built there over the *Rhine*, shall be destroy'd.

XXIV. In like manner the Works built on the right side of the *Rhine*, over against the Fort call'd *Fort Louis*, shall be demolish'd, the Fort itself and the Island continuing in the power of the most Christian King; but the Ground on which the Works to be demolish'd stood, together with the Buildings, shall be restor'd to the Marquiss of *Baden*: that part of the Bridg shall also be destroy'd, which reaches from the Island thither, and is never hereafter to be rebuilt by either Party.

XXV. Besides, the most Christian King is to demolish the Works added, after the Peace of *Nimeguen*, to the Castle of *Traerbach*, as also *Montroyal* on the *Moselle*; the same by no means to be rebuilt hereafter: Yet the Castle of *Traerbach* is to be left in its former state, together with the City and its Appurtenances, which are to be entirely restor'd to the former Owners.

XXVI. The Works added by the most Christian King to the Castle of *Kurburg*, shall in like manner be raz'd; and when that is done, this Castle with the whole Town of *Kirn*, as also the other Goods and Possessions belonging to the Prince of *Salm* and his Kindred, the Rhine-
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graves and Wyldgraves, and particularly the Principality of *Salm* and the rest, shall be restor'd to them, to enjoy and possess the same as fully and rightfully as they did before they were divested of them.

XXVII. And the same thing is also agreed on in respect to the most Christian King's being oblig'd to demolish the new Works added to the Castle of *Eberenburg*; and the same with whatever else belongs to them on either side, are to be restor'd to the Barons of *Sickingen*.

XXVIII. Seeing the Duke of *Lorain* is engag'd in this War on the Emperor's side, and is desirous to be comprehended in this Treaty; he shall for himself, his Heirs and Successors, be restor'd to the free and full possession of those States, Places and Propertys, which his Uncle Duke *Charles* in the Year 1670. (when they were seiz'd by the Arms of the most Christian King) did possess, except only such Alterations as are explain'd in the following Articles.

XXIX. In the first place, his most Christian Majesty shall restore to the Duke the old and new Town of *Nancy*, with all its Appurtenances, as also all the Artillery found in the old Town at the time it was taken; yet upon this condition, that the Ramparts and Fortifications of this, as well as all the Outworks of both, shall be level'd to the ground at his Majesty's charge, and are never to be rebuilt, saving that the Duke or his Successors may, whenever they please, enclose the new Town with a plain and even Wall without any Angles.

XXX. His most Christian Majesty shall also evacuate the Castle of *Birsch* with all its Appurtenances, as also the Castle of *Homburg*; the Fortifications being to be first demolish'd, and never to be rebuilt: but yet so as that no damage be done to the Castles themselves and the Towns adjoining to them, but that they be wholly preserv'd unhurt.

XXXI. Every thing settled in the fourth Article concerning Unions and Reunions, shall be constru'd in favour of the Duke, in the same manner as if they were repeated here word for word, whensoever and which way, soever they have been made or decreed.

XXXII. But the Fort of *Saar-Louis* is reserv'd to his most Christian Majesty, with half a League of Ground round it, the same to be mark'd out by Commissioners appointed by the King and Duke; and it's for ever to be

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possess'd by the King, with a Right of Dominion and Superiority.

XXXIII. The City also and Prefecture of *Longwick*, together with its Appurtenances and Dependances, is with all Right of Superiority, Dominion, and Propriety, to remain for ever in the possession of the most Christian King, his Heirs and Successors; and neither the Duke, nor his Heirs and Successors, shall for the future claim or pretend any Right to them: but his most Christian Majesty shall in lieu of that Town and Prefecture grant another to the Duke in one of the three Bishopricks, of the same Extent and Value, and such as the Commissioners shall fairly agree upon. And the same being so yielded and transfer'd by the King to the Duke, as well the Duke himself, as his Heirs and Successors, shall enjoy it for ever, with all manner of Right of Superiority, Dominion and Property.

XXXIV. The Country shall be always open for the King's Soldiers to march to and return from the Frontier Towns, without any obstacle or impedient, thro' the Duke's Dominions; timely notice being always first given thereof, that so the Soldiers on the march shall not straggle nor go out of the way, but keep to the common and shortest way, and not delay their march: neither are they to do any injury to the Places or Subjects of the Duke, but are to pay ready Money for the Provision and other Necessaries provided for them by the Duke's Commissarys. And so the Ways and Places which were reserv'd to his most Christian Majesty by the Peace of *Nimeguen*, are to be again exempted, and to return wholly and without exception under the Duke's Obedience.

XXXV. The Ecclesiastical Benefices confer'd by the most Christian King, to the very day of signing this Treaty, shall remain unmolested in the power of the present Possessors, who have obtain'd the Grants of them from his Majesty.

XXXVI. Moreover, 'tis farther concluded as to matter of Law, that the Sentences and Decrees pronounc'd by the Council, Judges and other Officers of his most Christian Majesty, concerning the deciding of Suits and Controversys, as well between the Subjects of the Duke of *Lorain* and *Bar* as others, in the time that the most Christian King possess'd those Territorys, shall take place, and have their full and entire effect, in the same manner as if his Majesty were still Possessor of them; neither shall it
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be lawful to annul and call the said Sentences and Decrees into question, or to retard or hinder the Execution of them: tho the Partys may, pursuant to the method and course of Law, and the Constitutions of the Country, have a review of the Suit; but the Sentences are in the mean time to continue in their full Force and Vigour.

XXXVII. The Archives and Records, which were kept in the Treasury of *Nancy* and *Bar*, and in both the Chambers of Accounts or elsewhere, and have been taken away, shall be restor'd to the Duke, after the Peace is ratify'd.

XXXVIII. The Duke of *Lorain* may presently after the Ratification of the Peace, send Commissarys into the Dutchy of *Lorain* and *Bar*, to manage his Affairs, administer Justice, to take care of the Customs, Salt-Pits, and other Rights, to settle the Posts and other things which may appertain to the Government the Duke at that time is fully to take upon him.

XXXIX. The same Rule and Custom shall be preserv'd in respect to Customs, or Tolls, or Immunitys from them in the Carriage of Salt and Wood, whether by Land or Water, as was done in 1670. without any innovation made therein.

XL. The antient Usage and Freedom of Commerce shall exactly remain between *Lorain* and the District of *Metz*, *Toul*, and *Verdun*, to the mutual benefit of each Party for ever.

XLI. The Concordats made between the most Christian Kings and the Dukes of *Lorain*, shall in like manner be inviolably maintain'd in their former strength and vigour.

XLII. The Duke of *Lorain* and his Brothers, after the Restitution is made, shall be at liberty, as they assert they have a Right in divers cases, to sue for the same according to the ordinary Course of Law, notwithstanding any Sentences that have been pronounc'd against them while absent and unheard.

XLIII. As to those things concerning which there is no Agreement expressly made here, those also shall be observ'd in respect to the Duke, his Dominions and Subjects, which are determin'd by this Treaty, especially SS. *The Vassals on both sides shall be restor'd, &c.* SS. *As soon as the Instrument of Peace, &c.* SS. *And as for the Subjects, &c.* as much as if they were particularly set down in this place.

XLIV. The Cardinal of *Furstemburg* shall be restor'd to all the Rights and Goods both feudal and allodial, Benefices, Honours and Prerogatives, which appertain to the Princes and Members of the Empire, as well in respect to the Bishoprick of *Strasburg* on the right side of the *Rhine*, as the Abbey of *Staveoen* or others; and he shall, with his Kindred or Allys that adher'd to him, and his Domesticks, enjoy a full Amnesty and Security in respect to all Facts, Deeds and other Decrees whatsoever made against him or them: neither shall he nor his Heirs, Kindred or Allys and Domesticks, be ever sued upon the account of the Inheritance of the deceas'd Elector *Maximilian Henry*, by the Electors of *Cologne* and *Bavaria* and their Heirs, or any other whatsoever. So on the other hand, neither ought the Cardinal, his Kindred, Allys and Domesticks, or any suing for them, upon the account of that Inheritance, or any Legacys left them, require any thing any manner of way of the Electors and others: but all Rights, Pretensions, or personal and real Actions, are utterly abolish'd. Those of the Canons of *Cologne* who took his part, and were depriv'd of their Canonships and Benefices, shall enjoy the same Amnesty and Security, and be restor'd with all the Rights of the Canonships, Benefices, and Dignitys, into the same Place and order in the Chapter of the Cathedral and Collegiate Churches they enjoy'd before Deprivation: but as to the Revenues remaining in the hands of the present Possessors these as well as those restor'd, shall enjoy the Titles and Function of the Dignitys and Benefices in common, and that the restor'd Canons are to have the precedency: and after the Death or voluntary Resignation of the Possessors, the restor'd Canons alone shall forthwith enjoy the Dignitys and Revenues; mean time each of them shall also according to their Seniority have the new Prebendships that become vacant confer'd upon them. And 'tis not to be doubted but this will please the upper Ecclesiasticks, to whom the same belongs. As for the Heirs of those depriv'd Canons who died during the War, and whose Goods, Incomes and Rights have been sequester'd or apply'd to the publick Treasure; they shall, in order to the recovery of the same, fully enjoy the benefit of SS. *All the Vassals on both sides shall be restor'd, &c.* but upon this express condition, that Legacys left by Persons deceas'd to pious uses, shall without delay be paid accordingly out of the Estates or Goods assign'd for that purpose.

XLV. The Landgraves of *Hesse-Rhinfielden* shall be particularly comprehended in the Amnesty, and be put into the same condition, in respect to the Castle of *Rhinfield* and all the lower County of *Cartimelibocen*, with all its Jurisdctions and Dependances, wherein their Father the Landgrave *Ernest* was before the beginning of this War; but yet with a Reservation of the Rights appertaining any where to the Landgrave of *Hesse-Cassel*.

XLVI. The Vassals, Subjects, Ecclesiasticks, Laicks, Corporations, Univerlitys and Colleges, shall on both sides be restor'd to the Honours, Dignitys and Benefices they injoy'd before the War, as also to all their just Rights, Movables and Immovables, Rents or Incomes, even those which may be bought off, and which are determin'd with Life (if so be the Inheritance is not extinct) that have been seiz'd or detain'd in the time and upon the account of the War, together with their Rights, Actions, Successions, which have fell to them during the War: yet so as that nothing can be claim'd upon the account of the Profits receiv'd since such Seizure or Detention to the day of the Ratification of this Peace. In like manner they cannot lay claim to Debts, Goods and Movables, which in the time, and by reason of the War have been confiscated in the Exchequer, or by publick Authority apply'd to other Uses; insomuch that neither the Creditors of such Debts, nor the Owners of those Goods or Movables, their Heirs or Assigns, ought ever to sue for the same, or to pretend to any Restitution or Satisfaction. These Restitutions shall also be extended to those who have espous'd the contrary Party's Interest, or have been suspected upon that account, and who have been depriv'd after the Peace at *Nimeguen* of their Goods, Profits or Rights, upon the account of their living elsewhere, not doing homage, or the like causes or pretences; and who by virtue of this Peace shall be receiv'd into the favour of their Prince, as into their former Rights, and any sorts of Goods, such as they are found to be at the time of concluding and subscribing this Treaty. And all this shall be actually put in execution presently after the Ratification of the Peace, notwithstanding any Donations, Alienations, Concessions, Confiscations, Commissions, Charges, Improvements, interlocutory and definitive Sentences, given for Contumacy thro' the Absence of the Partys and their being unheard; which Sentences and Adjudications shall be null and henceforward

so esteem'd, as if they had not been given nor pronounc'd; all of them being at full and entire liberty to return to their Country or to those Estates, that they may enjoy them themselves, together with the Incomes and Profits; or they may fix their Dwelling or Habitation elsewhere, in what Place or Country they please, without any manner of Compulsion or Restraint put upon them. And it shall be lawful for them by their Agents to manage their Effects and Incomes, and to enjoy the same, save only Ecclesiastical Benefices requiring Residence, which ought to be personally administer'd and taken care of. Lastly, The Subjects of both Partys shall be at liberty to sell, exchange, alienate, and transfer all their Movables and Immovables, Estates and Incomes, or otherwise dispose of them among the Living or by Will; so that any one, whether a Subject or a Stranger, may buy or acquire the same, there being no other or farther leave requir'd for it of his Superior, but what is contain'd in this Article.

XLVII. If any Ecclesiastical Benefices, mediate or immediate, have during this War been confer'd by either Party in the Territorys or Places then subject to him, on Persons qualify'd according to the Rule of the original Institution, and general or particular Statutes lawfully made by them, or according to another Disposition and Provision, tho canonically made by the Pope; these as well as those Ecclesiastical Benefices which were confer'd in that manner before this War, in the Places that are to be restor'd by this Peace, shall be left to the present Possessors; so that they never can nor ought by any body whatever to be disturb'd or hinder'd, or in their name, whether for any past or present cause, to be su'd, summon'd, or upon any account incommoded or molested; provided they perform those things that are incumbent upon them in respect to those Benefices.

XLVIII. Seeing it is conducive to the publick Tranquility, that the Peace concluded at *Turin, August 29, 1696.* between the most Christian King and the Duke of *Savoy*, should be exactly observ'd; the said Peace shall be comprehended in and confirm'd by this, so as to have the same vigour with it for ever. Moreover, those things which by the Peace of *Westphalia* and *Nimeguen* were secur'd to the Duke of *Savoy*, are confirm'd and reputed so as if particularly specify'd in this place; yet so that upon the restoring of *Pignerol* and its Dependances, the Obligation shall

be no ways diminish'd or alter'd, which the most Christian King has taken upon him, of paying four hundred and ninety four thousand Crowns, to free the Duke of *Savoy* for the same, as it is contain'd in the Treaty of *Westphalia* more at large. And that these things may the more fully and firmly be establish'd, all and every the Princes concerned in the General Peace, shall give the same Guaranty as they have done one another for its Security to the Duke of *Savoy*, and receive the same again of him.

XLIX. That upon *France's* surrendring or restoring any Places, Persons, Things or Rights, whatever they be, no new Rights shall be acquir'd over the things so restor'd or to be restor'd; but if others have any Pretensions upon them, those after the Restitution is made, which by no means ought to be defer'd upon that account, are to be propos'd, examin'd and decided in a convenient Place.

L. As soon as this Treaty of Peace shall be sign'd and seal'd by the Ambassadors Extraordinary and Plenipotentiarys, all acts of Hostility and Violence whatever, and the destroying of Buildings, Vineyards and Woods, and the cutting down of Trees shall cease; and presently after the Ratifications are exchange'd, a List shall be given in on both sides of the unfortify'd Places that belong to the other Party: but the fortify'd Places to be restor'd by this Peace, shall be given up within thirty Days after the Ratification, and sooner if possible, to those who are nam'd in the preceding Articles; or if not express therein, to those who were in possession immediately before the restitution of them, and that without destroying any of the Works, publick or private Edifices, putting them into a worse State than they now are, insisting upon any charge they have been at for or concerning them, any exacti-
ons of the Soldiery, or done in their Name, or for any other cause; and lastly without taking from them Goods belonging to the Inhabitants, and left them by this Peace. And as to the places upon which it has been agreed to have them demolish'd; this shall be compleatly done, without any charge and trouble to either Party, in respect to the lesser ones within a Month, and the larger ones within two Months or sooner, if it can be done. Moreover, all the Archives and Records shall be faithfully restor'd forthwith after the Exchange of the Ratifications, not only those which appertain to the places to be restor'd and gi-
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ven up to the Emperor and Empire and the States and Members thereof, but even all that has been taken away from the Chamber and City of *Spire*, and elsewhere in the Empire, tho there has been no particular mention made of them in this Treaty. Prisoners taken on both sides on account of the War, shall be set at liberty without Ransom, especially those that have been sent to the Gallys, or condemn'd to other publick Work.

LI. And that the Subjects on either side may as soon as possible have a greater benefit of the Peace, it's concluded that all Contributions of Mony, Corn, Hay, Wood, Cattle, or under any other Denomination, tho already laid upon the Subjects of the other Party and agreed upon, as also all sorts of Foraging in the other's Territorys shall upon the Ratification of the Treaty quite cease; and what remains due of any such Contributions or Exactions shall utterly be abolish'd and extinguish'd: and the Hostages that have been given or exchange'd, during the War, upon any account whatsoever, shall without delay be set at liberty, without any Ransom, and freely return into their own Country.

LII. Let Commerce presently after the signing the Peace be restor'd between the Subjects of his Sacred Imperial Majesty and the Empire, and of those of his most Christian Majesty and the Kingdom of *France*, which was prohibited during the War, with the same freedom as before the War; and all and singular the Citizens and Inhabitants, especially of the Imperial Citys and Hans-Towns, shall on both sides enjoy by Sea and Land full Security, the antient Rights, Immunitys, Privileges and Emoluments, that had been obtain'd by solemn Treatys or antient Custom; there being a farther Agreement to be made after this Peace in this respect.

LIII. All things agreed on by this Peace shall be valid, firmly stand, be observ'd and put in execution: and whatever can be believ'd, alledg'd or devis'd to the contrary, is abrogated and made void: tho they were such things as that a more particular and fuller mention ought to be made of them, and tho it may seem as if they ought to be term'd no Abrogation or Annulation, or else an invalid one.

LIV. It shall be lawful for both Partys to strengthen this Peace and the Observance thereof, by Alliances, and Fortresses built and augmented on their own Ground, at their
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pleasure,

pleasure, without those mention'd above to be excepted, and by other means to contribute to the Defence of the same. And they shall be always at liberty to give their Guaranty with other Kings, Princes and Republicks, and especially to the King of *Sweden*, or the Mediator; as also by virtue of the Peace of *Westphalia* to assert it to his Imperial Majesty and the Empire, and to his most Christian Majesty.

LV. And seeing his Sacred Imperial Majesty, and the Empire, and the most Christian King, do gratefully acknowledge the unweary'd Endeavours and Offices used by the most Serene King of *Sweden* for promoting the publick Tranquillity; both sides have agreed, that he together with his Kingdoms and Provinces shall by name be comprehended in this Treaty after the best manner that can be.

LVI. Moreover, besides the Members of the Empire already nam'd, the other Electors, Princes, States and Members of the Empire, and amongst them particularly the Bishop and Bishoprick of *Basil*, with all their Dominions, Rights and Prerogatives, are in the Name of the Emperor and the Empire, comprehended in this Peace; so are also the Thirteen *Swiss* Cantons, with their Allys, namely the Republick and City of *Geneva*, with its Dependances, *Neufchastel*, the City of *St. Gall*, *Mulhusen* and *Bienne*, the three Leagues of the *Grisons*, seventeen of the *Vallesians*, and the Abbot of *St. Gall*.

LVII. In like manner the thirteen *Swiss* Cantons and their Allys, and particularly the Republick of *Vallesia*, are in the Name of his most Christian Majesty comprehended therein.

LVIII. In this Peace shall also be included all those who shall be nam'd therein before the exchange of the Ratifications, or six Months after, by common consent of both Partys.

LIX. The Peace being thus concluded, the Ambassadors of their Imperial and most Christian Majestys, and the Plenipotentiarys appointed by the several States of the Empire, promise in the Name of the Emperor, Empire, and most Christian King, to produce on both sides Instruments of Ratification to be exchange'd within the space of seven Weeks, to be computed from this Day or sooner, if it can be done.

LX. In

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LX. In Testimony of all which, as well the Ambassadors Extraordinary and Plenipotentiarys of their Imperial and most Christian Majestys, together with those deputed by the Electors, Princes and States of the Empire for this end, have subscrib'd the same with their own Hands, and put to their Seals. *Done in the Palace of Reswick in Holland, October 30, 1697.*

(L. S.) *D. A. C. Caunitz.* (L. S.) *de Harlay Bonneuil.*
 (L. S.) *Henr. C. de Straatman.* (L. S.) *Verjus de Crecy.*
 (L. S.) *J. F. L. Baron Seilern.* (L. S.) *de Callieres.*

In the Name of the Empire.

Electör of *Mentz.*

(L. S.) *M. Frederick, Baron de Schonborn, Ambassador.*

In the Name of the most Serene Electör of *Bavaria.*

(L. S.) *De Prielmayer, Ambassador Extraordinary and Plenipotentiary.*

(L. S.) *Ignatius Anthonius Otten, Plenipotentiary.*

(L. S.) *George William Moll, Plenipotentiary.*

In the Name of the House of *Austria.*

(L. S.) *Francis Rudolph of Halden, Lord Baron of Trasburg, &c.*

In the Name of the Great Master of the *Teutonic Order.*

(L. S.) *C. B. a Loe, Knight of the Teutonic Order.*

In the Name of the Prince and Bishop of *Wurtsburgh.*

(L. S.) *John Conrad Philip Ignatius de Tastungen.*

In the Name of the Electör of *Treves*, as also Bishop of *Spire.*

(L. S.) *John Henry de Kayfersfeld, Plenipotentiary.*

In the Name of the Prince and Bishop of *Constans.*

(L. S.) *Frederick a Durheim.*

In the Name of the Bishop and Prince of *Hildesheim.*

(L. S.) *Charles Paul Zimmerman, Chancellor, Privy Counsellor, and Plenipotentiary of his Highness.*

In the Name of the Elector of *Cologne*, as Bishop and Prince of *Liege*.

(*L. S.*) *John Conrad Norff*, deputed Plenipotentiary.

In the Name of the Bishop and Prince of *Munster*.

(*L. S.*) *Ferdinand*, free Baron of *Plettenberg*, ex *Leuhausen*, Dean and Capitulary of the Cathedral Churches of *Paderborn*, *Munster* and *Hildesheim*.

In the Name of the Elector Palatine, Duke of *Neuburg*.

(*L. S.*) *John Henry Hertzman*, Plenipotentiary.

In the name of the Duke of *Wirtemberg*.

(*L. S.*) *John George*, Lord of *Kulpis*, Knight of the Holy Roman Empire, Counsellor of State and President.

(*L. S.*) *Anthony Gunter de Hespen*, Counsellor in the upper Council, and Plenipotentiary for the most Serene Duke.

In the Name of the Prince of *Baden-Baden*.

(*L. S.*) *Charles Ferdinand*, free Baron of *Plittersdorf*, saving the Order of Alternation.

In the Name of the Abby-College of *Swabia*.

(*L. S.*) *Joseph Anthony Eusebius de Halded* in *Neidberg*, free Baron of *Autenriedt*, Plenipotentiary.

In the Name of the Bench of *Wetteraw*.

(*L. S.*) *Charles Otto*, Count of *Solms*.

(*L. S.*) *F. C. de Ecclesheim*, Counsellor and Plenipotentiary.

In the Name of the Free Imperial City of *Cologn*.

(*L. S.*) *Herman Joseph Bullingen*, Syndick and Plenipotentiary.

In the Name of the City of *Ausburg*.

(*L. S.*) *John Christopher de Dizheim*, Plenipotentiary.

In the Name of the Imperial City of *Frankfort*.

(*L. S.*) *John Jacob Muller*, Plenipotentiary.

(*L. S.*) *John Melchior Lucius*, J. N. L. Syndick and Plenipotentiary.

Separate

Separate Article.

THAT the eighth Article, *Restituentur a Rege Christianissimo Domino Electori Palatino, &c.* may be the more clearly understood, it's farther agreed on by the Instrument of Peace subscrib'd this Day, That this method be observ'd in proposing and deciding the Pretensions or Rights the Dutcheſs of *Orleans* has upon the Elector Palatine. When the place of meeting is pitch'd upon, between both the Arbitrators, within the time prefix'd for ratifying the Peace, that Place shall be signify'd to each Party, whither the Delegates of the said Arbitrators shall be sent within two Months time, to be computed from the full Restitution to be made to the Elector Palatine, according to the alledg'd Article; and there a full Designation of the Pretensions or Suit of the Lady Dutcheſs shall be exhibited within the following Month, against the Elector, and the same shall be communicated to his Highness within eight Days; a four-fold Extract shall be made of the Allegations of each Party, and the same deliver'd to the Delegates of the Arbitrators, within four Months space, on the same day as they shall name, of which each Arbitrator shall have a Copy by him, a third shall be laid up among the common Acts of the Arbitration, and the fourth shall be communicated backward and forward to the Partys within eight days: An Answer shall be return'd in the same manner, and a fourfold Copy of the Answer of both Partys shall be exhibited the same day to the Delegates of the Arbitrators, to be transmitted again to both the Principals, within eight days: They shall on both sides proceed to the Determination of the Cause within the four following Months, and also acquiesce with the Sentence of Arbitration; and this Determination and Acquiescence shall be notify'd to the Partys, and the Acts inroll'd by the then Procurators of the Partys. Wherefore the Rights of both Partys having been view'd and examin'd within the space of six Months, by the Arbitrators or their sworn Delegates, at the place of Congress, Sentence shall be publicly pronounc'd according to the Laws and Constitutions of the Empire; and if they do agree, shall be fully put in execution: but if the Arbitrators or their Delegates shall not agree upon the Sentence, the common Acts of Arbitration

tration shall within the space of two Months, to commence from the day the Sentence should be on, be transfer'd to *Rome* at the mutual Charge of the Partys concern'd, and be left to the Pope as Umpire; where matters being examin'd over again, by Delegates unsuspected of Partiality to either Party, and upon Oath, within two Months, these shall give the final Sentence upon the former Acts, without allowing the Partys any farther diduction of matters within the six Months following, according to the Laws and Constitutions of the Empire: which Sentence shall no manner of way be impugn'd, but be put in Execution by the Arbitrators, without any contradiction or delay. But if either Party shall be dilatory in proposing, diducing or proving his Pretensions or Rights; the other may however deduce and exhibit his Pretensions, according to the Terms prescrib'd which cannot be lengthen'd; and the Arbitrators, as also the Umpire, may proceed thereupon as aforesaid, and give and execute Sentence according as the Acts are exhibited and prov'd. But notwithstanding this way of procedure, both the Partys themselves, as also the Arbitrators, are to endeavour amicably to determine the difference, and to omit nothing that can contribute in a friendly manner to end the Controversy. But seeing it is agreed in the Article of Peace above-named, that till this Controversy be terminated, the yearly Sum of two hundred thousand *Tournay* Livres, or a hundred thousand *Rhenish* Florins, shall be paid by the Elector Palatine to the Dutchess of *Orleans*; as to the manner and time of Payment, when it ought to begin, it's particularly agreed, That that shall immediately commence from the time that the Places and Territorys specify'd in the said Article shall be fully restor'd to the Elector Palatine: but that the Payment of the said Sum may be the more effectually secur'd to the Dutchess of *Orleans*, the Elector Palatine shall nominate so many of the Administrators or Collectors of the Prefecture of *Germerstheim* and other Places of the Palatinate, as shall be sufficient, before the Ratification of the Peace, who shall take upon them to pay the same to the Dutchess or her Agent at *Landau*, viz. one half every six Months; and who if they do not perform it, shall be oblig'd to do it by the ordinary course of Justice, or if necessity requires it, be compell'd to it by Military Execution, according to the most Christian King's Order. But this Payment is to be made upon this condition, that
what

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what shall be paid upon the account of the said annual Sum to the Dutchess of *Orleans*, while the matter depends before the Arbitrators, or be done by way of compensation for her Pretensions, if any thing shall be adjudg'd to her by the Arbitrators, shall be return'd, if nothing or less comes to be decided in her favour; and this Compensation or Restitution shall no less be determin'd than the Controversy it self by the Sentence of Arbitration: but if the Dutchess of *Orleans* shall be defective in the compromised form for the exhibited Extract of her Pretensions, Management of the Cause, and Answer to the Allegations of the Elector Palatine, and protract the same, the course of the said yearly payment shall only cease for that time, but the Examination and Decision of the Cause shall go on according to the same compromised form. *Done at Reswick, October 30, 1697.*

(*L. S.*) *D. A. C. Caunitz.* (*L. S.*) *de Harlay Bonneuil.*
 (*L. S.*) *H. C. de Straatman.* (*L. S.*) *Verjus de Crecy.*
 (*L. S.*) *J. F. L. B. a Seilern.* (*L. S.*) *de Callieres.*

In the Name of the Empire.

Electör of *Mentz.*

(*L. S.*) *M. Frederick Baron de Schonborn, Ambassador.*

In the Name of the most Serene Electör of *Bavaria.*

(*L. S.*) *Jē. Prielmeyer, Extraordinary Ambassador and Plenipotentiary.*

(*L. S.*) *Ignatius Anton. Otten, Plenipotentiary.*

(*L. S.*) *George William Moll, Plenipotentiary.*

In the Name of the House of *Austria.*

(*L. S.*) *Francis Rodolph al Halden, Baron de Trasberg.*

In the Name of the Great Master of the *Teutonic Order.*

(*L. S.*) *Charles, Baron de Loe, Knight of the Teutonic Order.*

In the Name of the Prince and Bishop of *Wurtzburg.*

(*L. S.*) *John Conrad Philip Ignatius de Tastingen.*

In the Name of the Electör of *Triers*, and the Bishop of *Spire.*

(*L. S.*) *John Henry de Keyfersfeld, Plenipotentiary.*

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In the Name of the Prince and Bishop of *Constant.*
(L. S.) *Frederick a Durheim.*

In the Name of the Prince and Bishop of *Hildesheim.*
(L. S.) *Charles Paul Zimmerman*, his Highness's Chancellor, Privy-Counsellor and Plenipotentiary.

In the Name of the Elector of *Cologne*, as well as Bishop
and Prince of *Liege.*

(L. S.) *Ferdinand L. B. a Plettenberg ex Luhausen*,
Dean and Capitulary of the Cathedral Churches of *Paderborn*, *Munster* and *Hildesheim.*

In the Name of the Elector Palatine, as well as Duke
of *Neuburg.*

(L. S.) *John Henry Hetterman*, Plenipotentiary.

In the Name of the Marquess of *Baden-Baden.*
(L. S.) *Charles Ferdinand L. B. de Plittersdorff*, saving
the Order of Alternation.

In the Name of the Abby-College of *Swabia.*
(L. S.) *Joseph Anthony Eusebius de Halden* in *Neidberg*,
free Baron of *Autenriedt*, Plenipotentiary.

In the Name of the Free and Imperial City of *Cologn.*
(L. S.) *Herman Joseph Bullingen* Syndick and Plenipotentiary.

In the Name of the City of *Ausburg.*
(L. S.) *John Christopher de Dierheim*, Plenipotentiary.

The French King's Treaty made with the King of England, relating to the Settlement of the Succession of Spain on the Electoral Prince of Bavaria, on Condition that Naples, Sicily, Guipuscoa, &c. be granted to the Dauphin (which is commonly call'd, The first Treaty of Partition) concluded August 19, 1698.

LEWIS by the Grace of God, King of *France* and *Navarre*, to all who shall see these Presents, greeting. Having seen and examin'd the Treaty which our dear and our well-belov'd the Count *de Tallard*, Lieutenant General of our Armys, and of our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, by virtue of the full Power which we had given him for that Purpose, hath concluded, made and sign'd in our Names at the *Hague*, the 11th of *October* last, with *William de Benting*, Earl of *Portland*, Knight of the Order of the Garter, Privy-Counsellor to our most dear and most beloved Brother, the King of *Great Britain*, first Gentleman of his Bed-Chamber, and General of his Horse; and Sir *Joseph Williamson*, Kt. Privy-Counsellor also to our Brother, and Keeper of the Papers of State; in like manner provided with full Powers from our said Brother: Of which Treaty the Tenor is as follows.

Be it known unto all who shall see these Presents, That the most serene and most mighty Prince *Lewis XIV.* by the Grace of God, the most Christian King of *France* and *Navarre*, and the most serene and most mighty Prince *William III.* likewise by the Grace of God, King of *Great Britain*, and the States-General of the *United Provinces* of the *Netherlands*, desiring nothing more heartily than to strengthen, by new Engagements, the good Intelligence re-establish'd between his most Christian Majesty, his Majesty of *Great Britain*, and the said States-General by the last Treaty concluded at *Reswick*; and to prevent, by Measures taken in time, the Events that might raise new Wars

Wars in *Europe*, have to that end given full Powers for agreeing upon a new Treaty: to wit, his said most Christian Majesty to the Count *de Tallard*, Lieutenant General of his Armys, and of his Province of *Dauphine*, and his Ambassador Extraordinary in *England*; his said *Britannick* Majesty to *William de Benting*, Earl of *Portland*, Knight of the Order of the Garter, Privy-Counsellor to the King of *Great Brittain*, his first Gentleman of his Bed-Chamber, and General of his Horse; and to Sir *Joseph Williamson*, Knight, likewise Privy-Counsellor to the said King, and Keeper of the Papers of State: And the said States-General to the Sieurs *Francis Verbolt*, Senator and Burgomaster of the Town of *Nimeguen*, Post-Master General of the Dutchy of *Guelderland*, County of *Zutphen*, and other Places; *Frederick*, Baron *de Reede*, Lord of *Lier*; Sir *Anthony Perlee*, &c. Commander of *Buren*, and of the Order of the Nobility of *Holland* and *Westfriezland*: *Anthony Heinsius*, Counsellor, Pensionary Keeper of the Great Seal, and Superintendent of the Fiefs of the same Province of *Holland* and *Westfriezland*; *John Beeker*, ancient Senator and Burgomaster of the Town of *Middleburgh*; *John Vander Does*, Lord of *Bergestein*, of the Order of the Nobility of the Province of *Utrecht*; *William Vanharen*, formerly Grietman of the *Bilt*, Deputy from the Nobility to the States of *Friezland*, and Curator of the Univerlity of *Franeker*: *Arnol Lemker*, Burgomaster of the Town of *Deventer*; and *John de Drews*: All Deputys of the said States-General from the Provinces of *Guelderland*, *Holland* and *Westfriezland*, *Zeland*, *Utrecht*, *Friezland*, *Overyssel*, *Groningen* and *Omland*; who by virtue of the said Powers have agreed upon the Articles following.

I. The Peace re-establiſh'd by the Treaty of *Reswick*, between the most serene and most mighty Prince *Lewis XIV.* the most Christian King of *France* and *Navarre*, the most serene and most mighty Prince *William III.* King of *Great Britain*, and the States General of the *United Provinces of the Netherlands*, their Heirs and Successors, their Kingdoms, States and Subjects, shall be firm and lasting; and their Majestys and the said States-General shall reciprocally do every thing that may contribute to the Benefit and Advantage one of the other.

II. As the chief Aim which his said most Christian Majesty, and his said Majesty of *Great Britain*, and the said

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States General, do propose to themselves, is the maintaining the general Tranquillity of *Europe*: they have not been able to see, without Grief, how the King of *Spain's* State of Health is of late become so languishing, that there is all the Reason in the World to fear that that Prince cannot have long to live. Now, altho they are not able to turn their Thoughts towards that Event without Affliction, because of the true and sincere Friendship they have for him; yet they have judg'd it to be much the more necessary to look forward upon the same, because his Catholick Majesty having no issue, the Succession coming to fall, would infallibly occasion a new War, if the most Christian King should maintain his Pretensions, or those of the Dauphin to the whole Succession of *Spain*; if the Emperor should likewise support his Pretensions, those of the King of the *Romans*, the Arch Duke, his second Son, or the other Children; and the Elector of *Bavaria* those of the Prince Electoral, his eldest Son, to the said Succession.

III. And whereas the Two Kings and the States-General desire, above all Things the Preservation of the publick Quiet, and the avoiding a new War in *Europe*, by accommodating the Disputes and Differences that might arise on account of the said Succession, or by reason of the Umbrage from too many Dominions being united under one Prince; they have thought good to take before-hand the necessary Measures for preventing the Calamitys which the said Accident of the Death of the Catholick King without Issue might produce.

IV. Therefore it hath been stipulated and agreed, That the said Case happening, the most Christian King as well in his own Name as that of the Dauphin, his Children, Male and Female, Heirs and Successors, born and to be born, as likewise the said Dauphin for himself, his Children Male and Female, Heirs and Successors, born and to be born, shall hold themselves satisfy'd as they do by these Presents hold themselves satisfy'd, That the said Dauphin have for his Share in full Propriety, Plenary Possession, and Extinction of all his Pretensions to the Succession of *Spain*, to have and enjoy the same to him, his Heirs and Successors, born and to be born, for ever, without being ever molested on any pretence whatsoever, of Rights or Claims, directly or indirectly, even by Cession, Appeal, Revolt, or otherwise, on the part of the Emperor, the King of the *Romans*, the Arch Duke *Charles* his second Son, his other Children Male or Female, and Descendants,

dants, his Heirs and Successors, born and to be born; or in like manner, on the part of the Elector of *Bavaria*, in the Name of the Prince Electoral of *Bavaria*, his eldest Son, or of the Prince Electoral, their Issue, Descendants, Heirs and Successors, born and to be born; the Kingdoms of *Naples* and *Sicily*, the places at present depending on the Monarchy of *Spain*, situated on the Coast of *Tuscany*; or the adjacent Islands comprehended under the Name of *Sancto Stephano*, *Porto Hercole*, *Orbitello*, *Telamone*, *Porto-Longo*, *Piombino*, in the same manner likewise as the *Spaniards* do now hold them; the Town and Marquisate of *Final* in the same manner likewise as the *Spaniards* hold them; the Province of *Guipuscoa*, particularly the Towns of *Fontarabia* and *St. Sebastian*, situated in that Province, and especially the Port of *Passage*, with this Restriction only, That if there be any Places depending on the said Province, which shall be found to lie beyond the *Pyrenees*, or the other Mountains of *Navarre*, *Alava* or *Biscay*, on the side of *Spain*, they shall remain to *Spain*; and in like manner if there be any Places depending on the Provinces subject to *Spain*; but lying on this side the *Pyrenees*, or other Mountains of *Navarre*, *Alava* or *Biscay*, on the side of the Province of *Guipuscoa*, they shall remain to *France*; and the Passages of the said Mountains, and the said Mountains, that shall lie between the said Province of *Guipuscoa*, *Navarre*, *Alava* and *Biscay*, to whomsoever they belong, they shall be shar'd between *France* and *Spain* in such manner, as that there shall remain as much of the said Passages and Mountains to *France* on her side, as there shall remain to *Spain* on hers; the whole, with the Fortifications, warlike Ammunition, Powder, Bullets, Cannon, Gallies, Gally-slaves, which shall be found to appertain to the King of *Spain* at the time of his Decease without Issue, and to be annex'd to the Kingdoms, Places, Islands and Provinces which are to compose the Share of the *Dauphin*: It being to be understood, that the Gallies, Gally-slaves, and other Effects appertaining to the King of *Spain*, by the Kingdom of *Spain*, and other Dominions which fall to the share of the Prince Electoral of *Bavaria*, shall remain to him; those which belong to the Kingdoms of *Naples* and *Sicily* being to go to the *Dauphin*, as above-said. In consideration of which Kingdoms, Islands, Provinces and Places, the said most Christian King, as well in his own Name, as in that of the *Dauphin*, his Children, Male or Female, Heirs and Successors, born and to be

born; as likewise the said *Dauphin*, for himself, his Children, Male or Female, Heirs and Successors, born and to be born (who has also given his full Power to that purpose to the Count *de Tallard*) do promise and engage to renounce at the time of the said Succession, as in that case they do at this time by these Presents renounce all their Rights and Pretensions to the said Crown of *Spain*, and to other Kingdoms, Islands, States, Countrys, and Places now depending thereon; and that they will cause solemn Acts of the whole Matter to be dispatch'd in the strongest and best Form that can be, which shall be deliver'd at the time of the Ratification of this Treaty.

V. The Crown of *Spain*, and the other Kingdoms, Islands, States, Countrys and Places, which at present depend thereon, shall be given and assign'd to the Prince, eldest Son to the Elector of *Bavaria* (except what has been declared in the foregoing Article to make up the Share of the *Dauphin*) in full Propriety and plenary Possession for his Share, and in Extinction of all his Pretensions to the said Succession of *Spain*, to enjoy the same to him, his Heirs and Successors, born and to be born, for ever; so as that he shall never be molested, on any Pretence whatsoever, of Rights, or Claims, directly or indirectly, either by Cession, Appeal, Revolt, or otherwise, on the part of the most Christian King, the said *Dauphin*, or his Issue Male or Female, and Descendants, his Heirs and Successors, born and to be born; nor on the part of the Emperor, the King of the *Romans*, the Arch Duke *Charles* his second Son, his other Children, Male or Female, and Descendants, his Heirs and Successors, born and to be born. In Consideration of which Crown of *Spain*, and the other Kingdoms, Islands, States, Countrys and Places depending thereon, the Elector of *Bavaria*, as well in the Quality of Father, and lawful Tutor, and Administrator to the Electoral Prince his Eldest Son, as in the Name of the said Electoral Prince, and in that of their Children, Heirs and Successors, born and to be born; as likewise the said Electoral Prince of *Bavaria*, as soon as he shall come of Age, for his own Self, his Children, Heirs and Successors, born and to be born, shall hold themselves satisfy'd, that the said Electoral Prince have for his Share the Cession made above in this Article: And the said Elector of *Bavaria*, as well in the Quality of Father, and lawful Tutor, and Administrator to the Electoral Prince his Eldest Son, as in the Name

of the said Prince, in that of his Children, Heirs and Successors, born and to be born, shall renounce, at the time of the Death of his Catholick Majesty, and the said Electoral Prince, as soon as he shall come to Age, all Rights and Pretensions to the Portion assign'd to the Dauphin, and to that which is to be assign'd to the Archduke *Charles* by the following Articles. And they shall cause solemn Acts of the whole Matter to be dispatch'd in the strongest and best Form that can be; to wit, the Elector of *Bavaria*, in the Quality aforesaid, at the time of the Decease of his Catholick Majesty without Issue, and the said Electoral Prince, as soon as he shall come to Age.

VI. The Dutchy of *Milan* shall always be excepted out of the said Cessions and Assignations, which the two Kings and the States-General have agreed shall be given to the Archduke *Charles* of *Austria*, second Son to the most serene and most mighty Prince *Leopold*, elected Emperor of the *Romans*, for his share, and in extinction of all the Pretensions and Rights which the said Emperor, the King of the *Romans*, the Archduke *Charles* his second Son, all his other Children, Male and Female, and Descendants, his Successors and Heirs, born and to be born, might have to the said Succession of *Spain*; which said Archduke shall have in full propriety and plenary possession the said Dutchy of *Milan*, to him, his Heirs and Successors, born and to be born, to enjoy the same likewise for ever, without being at any time molested on any Pretence whatsoever, of Rights or Claims, directly or indirectly, on the part of the most Christian King, the said Dauphin, or the Princes his Children and Descendants, his Heirs and Successors, born and to be born; or in like manner on the part of the Elector of *Bavaria*, in the name of the Electoral Prince, his eldest Son, or of the said Electoral Prince, their Children, Descendants; Heirs and Successors, born and to be born.

VII. In consideration of which Dutchy of *Milan*, the Emperor also, as well in his own name as in that of the King of the *Romans*, the Archduke *Charles* his second Son, his Children, Male and Female, their Children, Heirs and Successors, born and to be born; as likewise the King of the *Romans*, and the Archduke *Charles*, as soon as he shall come to Age for himself, their Children, Heirs and Successors, born and to be born, shall hold themselves satisfy'd, that the Archduke *Charles* have, in extinction of all

their Pretensions to the Succession of *Spain*, the Cession of the Dutchy of *Milan*, made as abovesaid; and the said Emperor, as well in his own name as in that of the King of the *Romans*, the Archduke *Charles* his second Son, his Children, Male and Female, and theirs, their Heirs and Successors; as likewise the said King of the *Romans* in his own name, shall renounce, at the time of the Decease of his Catholick Majesty, and the Archduke *Charles*, as soon as he shall come to Age, all other Rights and Pretensions to the said Crown of *Spain*, and to the other Kingdoms, Islands, States, Countrys, and Places depending thereon, which compose the Shares and Portions aboveassign'd to the Dauphin, and the Electoral Prince of *Bavaria*. And they shall cause solemn Acts of this whole Matter to be dispatch'd in the strongest and best form that can be; to wit the Emperor and the King of the *Romans*, at the time of the Decease of his Catholick Majesty without Issue, and the Archduke *Charles*, as soon as he shall come to Age.

VIII. This present Treaty shall be communicated to the Emperor and the Elector of *Bavaria* by the King of *Great Britain*, and the States-General, immediately after the signing and exchange of the Ratifications; and his Imperial Majesty, the King of the *Romans*, and the said Elector, shall be invited to approve thereof at the time of the Decease of his Catholick Majesty without Issue; and the Archduke *Charles*, as likewise the Electoral Prince of *Bavaria*, as soon as they shall come of Age.

IX. But if the Emperor, the King of the *Romans*, or the Elector of *Bavaria*, refuse to enter therein, the two Kings, and the States General, shall hinder the Prince, Son, or Brother of him that refuses, from entring into possession of that which shall be assign'd him, and his Portion shall remain as it were in Sequestration in the hands of the Viceroy, Governors and other Regents, who govern on the part of the King of *Spain*, who shall not disseize themselves thereof, but with the Consent of the two Kings and the States-General, till such time as he shall have agreed to the said Partition, and this Treaty; and in case that notwithstanding he should endeavour to take possession of his Portion, or of that which shall be assign'd to others, the said two Kings, and the States General, as likewise those that shall be contented with their Share by virtue of this Agreement, shall hinder him with all their Might.

X. The

X. The King of *Spain* coming to die without Issue, and the abovesaid Case by that means happening, the two Kings, and the States General, do oblige themselves to leave the whole Succession in the Condition it shall then be, without seizing thereof in the whole or in part, directly, or indirectly; but each Prince shall and may forthwith put himself in possession of what is assign'd him for his Share, as soon as he shall on his part have comply'd with the 5th, 6th, 7th, and 9th Articles preceding: and if there be any Difficulty therein, the two Kings, and the States-General shall use all possible Endeavours, to the end that each one may be put into possession of his Portion, according to this Agreement, and that the same may have its full Effect; engaging to give, by Sea and by Land, the Succours and Aids of Men and Ships as are necessary to compel by Force those that shall oppose the Execution thereof.

XI. If the said Kings, and the States-General, or any of them, are attack'd, by whomsoever it may be, on account of this Agreement, or the executing thereof, they shall mutually assist each other with all their Power; and they shall make themselves Guarantees of the punctual execution of the said Agreement, and the Renunciations made pursuant thereto.

XII. All Kings, Princes and States shall be admitted into the present Treaty that desire to enter therein; and the said two Kings and the States General, and each of them in particular, shall be permitted to request and invite all whom they shall think fit to request and invite, who shall in like manner be Guarantees of the execution of this Treaty, and of the Validity of the Renunciations therein contain'd.

XIII. And for the further securing of the Quiet of *Europe*, the said Kings, Princes, and States, shall not only be Guarantees of the said Execution of the present Treaty, and of the Validity of the said Renunciations as abovemention'd; but if any one of the Princes, in favour of whom the said Partition is made, should hereafter endeavour to disturb the Order settled by this Treaty, make new Attempts contrary thereto, and so aggrandize himself to the detriment of the others, under any pretext whatsoever, the same Guaranty of the Treaty shall be judg'd to extend even to that Case, in such manner as the Kings, Princes and States, who undertake the same, shall be oblig'd to employ their Forces in opposing the said Attempts,
and

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and maintaining all things in the condition agreed on by
the said Articles.

XIV. If any Prince whatsoever oppose the taking possession of the Shares agreed on, the said two Kings, and the States General, shall be oblig'd to assist one another against such Opposition, and to hinder the same with all their Power; and it shall be agreed immediately after the signing of this present Treaty, in what proportion each is to contribute, as well by Sea as by Land.

XV. The present Treaty shall be ratify'd and approv'd by the said two Kings, and the States General; and the Letters of Ratification shall be exchang'd within the space of three Weeks, or sooner, if possible, to be computed from the Day of the Signing.

In witness whereof we have sign'd these Presents, and seal'd the same with our Coats of Arms; made at the *Hague* the 11th day of *October*, 1698. Sign'd,

Camille de Heftrang,
Count de Tallard,
Portland,
William Francis Verbolt,
F. B. de Reede,
A. Heinsius,

John Becker,
J. Vander Does,
W. Vanharen,
Ar. Lemker,
And
J. de Drevves.

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all who shall see these Presents, greeting. The Desire of maintaining the Tranquillity of *Europe*, join'd with the Esteem and Friendship we have for our most dear and most beloved Brother the King of *Great Britain*, having induc'd us to form stricter Engagements than before with our said Brother, and to take with him the necessary measures for preventing those Events that might occasion new Wars, we make known, that we putting intire Confidence in the Experience, Capacity and Fidelity of our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and in our Province of *Daxphine*, and our Ambassador Extraordinary in *England*, have constituted, appointed and deputed, and by these Presents do constitute, appoint and deput to make, conclude and sign, in our Name, with our Brother, the King of *England*, or with the Commissary that shall be nam'd by him, provided with full Pow

his part, such Treatys, Articles and Agreements as the said Count *de Tallard* shall see good, with the same Liberty and full Power as we should or might do, if we were there present in Person, altho there were some matter that requir'd a more especial Order than is contain'd in these Presents; promising, on the Faith and Word of a King, punctually to perform and execute, to prove and hold firm and stedfast, all that the said Count *de Tallard* shall promise and sign in our name, by virtue of the present Power, without ever acting, or suffering any thing to be acted to the contrary, for what Cause, or under what Pretext soever it may be; as likewise to dispatch the Ratification thereof in good Form, within the time that shall have been agreed upon. In witness whereof we have sign'd these Presents with our Hand, and caus'd our Privy Seal to be affix'd thereto. Given at *Versailles* the 19th day of *August*, in the year of our Lord 1698. and of our Reign the 36th.

Sign'd, *LEWIS*,
And on the fold, by the King, *Colbert*.

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all who shall see these Presents, greeting. We have sent to our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and in the Province of *Dauphine*, and our Embassador Extraordinary in *England*, a Power to treat, conclude, make and sign, with those who shall be provided with the like Power from our most dear and most beloved Brother the King of *Great Britain*, and the States General of the *United Provinces*, such Articles and Agreements as shall be adjudg'd necessary for preventing the Events that might disturb the publick Tranquillity: And we have been willing, at the same time, that we might omit no manner of thing that may or can depend on us, to authorize our most dear and most beloved only Son, the Dauphin, to give, on his part, all Acts necessary for the same end: For these Causes, and others hereunto moving, we have permitted, and by these Presents do permit, our said Son to give to the said Count *de Tallard* all the Powers that may or can be necessary for him to treat and transact concerning his Rights and Pretensions, and in pursuance thereof, to make the Renunciations that shall be stipulated therein; promising, on the Faith and Word of a King,
to

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to approve the same, and to consent that they be perform'd and executed altogether, so and in the same manner as that which shall be done, pursuant to the Power that we have given to the said Count *de Tallard*. In witness whereof we have sign'd these Presents with our Hand, and caus'd our Privy Seal to be put to the same. Given at *Versailles* the Nineteenth day of *August*, in the year of our Lord 1698. and of our Reign the 56th.

Sign'd LEWIS,
And on the fold, by the King, *Colbert*.

L E W I S D.

LEWIS, Dauphin of *France*, the King's only Son, to all who shall see these Presents, greeting. Whereas we propose to ourselves, to follow in all things the Example set us by the King, our most dear and most honour'd Lord and Father, we would chiefly imitate him in the sincere Desire he has to maintain the Peace, which *Europe* enjoys since the Conclusion of the Treaty of *Reswick*; and his Prudence making him equally to foresee the Events capable of disturbing the publick Tranquillity, and the Means to prevent their Effect, we do with pleasure apply ourselves to the sacrificing our lawful Rights to contribute towards the Success of a Design, so conformable to the general Interest of *Christendom*. Wherefore our said most dear and most honour'd Lord and Father, having been pleas'd to communicate to us the Orders and Power which he has given for that purpose, to our dear and well-beloved the Count *de Tallard*, Lieutenant-General of his Armys, and of his Province of *Dauphine*, and his Ambassador Extraordinary to our most dear and most beloved Brother the King of *England*, to conclude and sign with the said King a Treaty, the principal Object whereof is to be the Preservation of the Peace of *Europe*, if God should dispose of our most dear and most beloved Brother and Uncle the King of *Spain*, in the present Juncture; we have, in pursuance of the Power and Permission, which hath been given unto us by our said most dear and most honour'd Lord and Father, given, and by these Presents sign'd with our Hand, do give full Power, Commission, and special Command to the said Count *de Tallard*, to renounce in our Name, and in that of our Children, Heirs
and

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and Successors, born and to be born, all the Rights which shall or may lawfully appertain to us to the Monarchy of *Spain*, in case of the Death of our Brother and Uncle the Catholick King, which we transfer to our dear and most beloved Nephew the Prince, eldest Son to our dear and most beloved Brother and Brother-in-Law the Elector of *Bavaria*, and his Descendants. And we do consent, that in case of the Death of our said Brother and Uncle the Catholick King, our said Nephew the Electoral Prince of *Bavaria* may exercise and make good our said Right in our stead and place, over all the Kingdoms, Provinces and States depending on the Monarchy of *Spain*, excepting those which we shall reserve to ourselves, and to our most dear and most beloved Brother and Cousin the Archduke *Charles* of *Austria*, second Son to our most dear and most beloved Brother the Emperor, according to the Articles and Conditions that the said Count *de Tallard* shall agree upon with the Commissioners that shall be nam'd by our said Brother the King of *England*, who is provided with a sufficient Power to promise in our name, that we will ratify and approve all that shall have been agreed and stipulated for us by the said Count *de Tallard*, and in general in every thing above-mention'd, the Circumstances and Dependencys, to do, stipulate, demand, conclude, and sign, wholly in such manner as we should or might do, if we were there present in person, altho the Case requir'd a more special Command than is contain'd in these said Presents. Given at *Versailles* the 19th of *August* 1698.

Sign'd, *Lewis*.

And on the Fold, by Monsigneur the Dauphin,
Colbert.

LEWIS Dauphin of *France*, the King's only Son, to all who shall see these Presents, Greeting. We have, in pursuance of the Power and Permission which hath been given to us by our most honour'd Lord and Father, this day caus'd to be dispatch'd to our dear and well-beloved the Count *de Tallard*, Lieutenant-General of his Armys, and of his Province of *Dauphine*, and his Ambassador Extraordinary in *England*, a Power to conclude and sign with our most dear and most beloved Brother the King of *England*, a Treaty, the principal Object whereof is to be the Preservation of the Peace in *Europe*, if God should dispose of our most dear and most beloved Brother and
Uncle

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Uncle the King of *Spain*. But whereas it may so happen by the Negotiation to be on this matter, that it may be found necessary likewise to conclude some secret and separate Articles of the said Treaty, we have given anew to the said Count *de Tallard*, and by these Presents sign'd with our hand do give him full Power, Commission, and special Command, to confer, treat, negotiate, conclude and sign such Articles and Agreements, secret and separate, as shall be judg'd fitting; and to promise in our name, that we will ratify and approve the said Articles sign'd by the said Count *de Tallard*, altogether so, and in the same manner as if they had been inserted word for word in the said Treaty, altho the Case requir'd more especial Order than is contain'd in these Presents. Given at *Versailles*, the 19th of *August*, 1698.

Sign'd, *LEWIS*.

And on the Fold, by Monsieur the Dauphin,
COLBERT.

WE well liking the abovesaid Treaty, in all and every the Points and Articles therein contain'd and declar'd, have accepted, approv'd, ratify'd and confirm'd, and by these Presents do accept, approve, ratify and confirm the same; promising on the Faith and Word of a King, to perform, observe, and cause it to be observ'd sincerely and *bonâ fide*, without acting or suffering any thing to be acted to the contrary, directly or indirectly, for any cause or any occasion whatsoever. In witness whereof, we have sign'd these Presents with our Hand, and caus'd our Privy Seal to be affix'd thereunto. Given at *Fountainbleau*, the 24th of *October*, and in the Year of our Lord 1698. and of our Reign the fifty sixth.

LEWIS, (L. S.)

By the King, *COLBERT*.

*The French King's Ratification of a Secret Article
relating to the Elector of Bavaria.*

L*EWIS* by the Grace of God King of *France* and *Navarre*, to all who shall see these Presents, Greeting. Whereas our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and of our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, hath

hath by virtue of the full Power we have given him for that purpose, concluded, made, and sign'd at the *Hague*, the 11th of *October* last, with *William Benting* Earl of *Portland*, Knight of the Order of the Garter, Privy Counsellor to our most dear and most beloved Brother the King of *Great Britain*, first Gentleman of his Bedchamber, and General of his Horse; and Sir *Joseph Williamson*, Kt. likewise Privy-Counsellor to our said Brother, and Keeper of the Papers of State, in like manner provided with full Powers from our said Brother, a secret Article of the Treaty concluded the same day with our said Brother; the Tenour whereof is as follows.

Whereas the most Christian King, the King of *Great Britain*, and the States General of the United Provinces of the *Netherlands*, have agreed by the Treaty this day sign'd, concerning the Partition that is to be made of the Succession of the King of *Spain*, to prevent by that means the Calamitys which the Death of that Prince, if he should die without Issue, might produce in *Europe*; and whereas the greatest share of the said Succession hath been assign'd to the Electoral Prince of *Bavaria*, without having determin'd to whom the same should descend after him if he should in like manner happen to die without Issue: his most Christian Majesty, his *Britannick* Majesty, and the States General, for the further avoiding the Disputes and Wars which such a Case might produce, have made a new Agreement by this secret Article, which shall have the same Force as the Treaty above-mention'd, whereto it relates.

First, If the King of *Spain* happens to die without Issue, and consequently that the Kingdoms of *Spain*, the *Indies*, Islands, and other Countrys and States which are assign'd to the Electoral Prince of *Bavaria*, do fall under his power; the present Elector of *Bavaria* shall be Tutor and Curator to the Prince his Son during his Minority, all which time he shall have the Charge of the Government, and the Administration of all the Kingdoms, Islands, States, Countrys and Places which have been assign'd to the Prince his Son by the said Treaty.

Secondly, If the said Prince should happen to die without Issue, his Electoral Highness of *Bavaria*, his Father, shall succeed him in all the Kingdoms, Islands, States, Countrys, and Places which have been assign'd to him for his Share; and he shall enjoy the same in full propriety, and plenary possession, to him and his Children, Males and Females,

males, Descendants, Successors, and Heirs, born and to be born; so as that neither the Emperor, the Dauphin, their Children Male or Female, Descendants, Successors and Heirs, nor any other, shall or may under any pretext form the least pretension to that Succession: his most Christian Majesty, his *Britannick* Majesty, and the States General, engaging themselves anew to employ all their Power, by Land and Sea, for maintaining the Order establish'd by this Article relating to the Succession to the Monarchy of *Spain*, whereto they have unanimously agreed, in expectation of procuring by this Precaution the Continuance of the general Tranquillity which hath lately been establish'd in *Europe*.

All Kings, Princes, and States, that shall be willing to enter into this present Treaty, shall be admitted therein, when it shall be made publick, upon the death of the Prince Electoral, in case that happens, without Issue; and the two said Kings, and the States General, and each of them in particular, shall be permitted to request and invite all those whom they shall think fit to request and invite, who shall in like manner be Guarantees of that which is contain'd in this present secret Article. In witness whereof, we who have sign'd the Treaty whereto this present Article relates, have also sign'd the said Article, and seal'd it with our Coats of Arms, made at the *Hague* the 11th of *October* 1698. Sign'd *Tallard*, *Portland*, and *Williamson*.

LEWIS by the Grace of God King of *France* and *Navarre*, to all who shall see these Presents, Greeting. The desire of maintaining the 'Tranquillity of *Europe*, join'd with the Esteem and Friendship we have for our most dear and most beloved Brother the King of *Great Britain*, having induc'd us to form stricter Engagements than before with our said Brother, and to take with him the necessary Measures for preventing the Events which might occasion new Wars; we make it known, that we reposing entire Confidence in the Experience, Capacity, and Fidelity of our dear and well-beloved Count de *Tallard*, Lieutenant-General of our Armys and in our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, have constituted, appointed, and deputed, and by these Presents do constitute, appoint, and depute him to make, conclude, and sign in our name, with our said Brother the King of *England*, or with the Commissioners which shall be

be nam'd by him, provided with full Powers on his parts such Treatys, Articles and Agreements, as the said Count *de Tallard* shall see good, with the same Liberty and full Power as we should or might do if we were there present in Person, altho there should be some matter that requir'd a more special Order than is contain'd in these Presents: promising on the Faith and Word of a King, to perform and execute punctually, to approve and hold firm and stedfast for ever, all that the said Count *de Tallard* shall have promis'd and sign'd in our name by virtue of the present Power, without ever acting or suffering any thing to be acted contrary thereto, for what cause or under what pretext soever it may be; as likewise to dispatch the Ratification thereof in good form within the time that shall have been agreed upon. In witness whereof we have sign'd these Presents with our Hand, and have caus'd our Privy Seal to be affix'd thereunto. Given at *Versailles* the 19th day of *August*, in the Year of our Lord 1698. and of our Reign the fifty sixth.

Sign'd, *Lewis.*

And on the Fold, by the King, *Colbert.*

WE well liking the said secret Article, with all its Contents, have accepted, approv'd, ratify'd, and confirm'd, and by these Presents do accept, approve, ratify, and confirm the same; promising on the Faith and Word of a King, to perform, observe, and cause it to be observ'd sincerely and faithfully, without doing or suffering any thing to be done to the contrary, directly or indirectly, for any cause or any occasion whatsoever. In witness whereof we have sign'd these Presents with our Hand, and have caus'd our Privy Seal to be affix'd thereunto. Given at *Fountainbleau* the 24th day of *October*, in the Year of our Lord 1698. and of our Reign the 56th.

LEWIS, (L. S.)

By the King, *Colbert.*

The Ratification of the Secret Article concerning the Dutchy of Milan.

LEWIS by the Grace of God King of *France* and *Navarre*, to all who shall see these present Letters, Greeting. Whereas our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and of our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, has, by virtue of the full Power which we had granted him, concluded, made, and sign'd at the *Hague* the 11th of *October* last, with *William Benting* Earl of *Portland*, Knight of the Order of the Garter, one of the Privy Council of our most dear and most beloved Brother the King of *Great Britain*, first Gentleman of his Bed-Chamber, and General of his Horse, and *Sir Joseph Williamson*, Kt. likewise one of the Privy Council of our said Brother, and Keeper of the Papers of State, having likewise full Power from our said Brother; a separate and secret Article of the Treaty concluded the same day with our said Brother, the Tenor whereof follows:

The two Kings, and the States General, have likewise agreed, That in case the Dutchy of *Milan* should come to be sequester'd, by virtue of the Clause mention'd in the ninth Article of the Treaty concluded this day, into the hands of the Prince of *Vaudemont* at present Governor thereof, that upon his Decease, whenever it shall happen, the said Sequestration, and consequently the Government of the said Dutchy shall be administer'd by Prince *Charles* of *Vaudemont* his Son.

This secret Article shall be of the same force as if it was inserted in the Treaty made this day, to which it relates. In witness whereof we who have sign'd the said Treaty, have sign'd the present Article, and have caus'd our Seals to be put thereunto. Done at the *Hague* the 11th of *October* 1698. Sign'd *Tallard*, *Portland*, and *Williamson*, with their Seals.

LEWIS by the Grace of God King of *France* and *Navarre*, to all who shall see these present Letters, Greeting. The Desire of maintaining the Tranquillity of *Europe*, join'd with our Esteem and Friendship for our most dear and most beloved Brother the King of *Great Britain*,

Britain, having induc'd us to enter into more strict Engagements with our said Brother, and to take jointly with him the necessary Measures for preventing the Events which might excite new Wars; know ye that we confiding entirely in the Experience, Capacity and Fidelity of our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and of our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, have appointed, ordain'd, and deputed, and by these Presents do appoint, ordain, and depute him, to make, conclude, and sign in our name, with our said Brother the King of *England*, or the Commissioners who shall be nam'd by him, having full Powers from him, such Treatys, Articles and Conventions, as the said Count *de Tallard* shall think good, with the same Liberty and full Power as we should or might do if we were there present in Person, notwithstanding there should be matter which might require a more special Command than is contain'd in these Presents: promising in the Faith and Word of a King, to fulfil and execute punctually, to approve and hold firm and stedfast for ever, whatsoever the said Count *de Tallard* shall have promis'd and sign'd in our Name, by virtue of the present Power, without acting or suffering to be acted to the contrary, for any cause or under any pretence whatsoever; as also to finish the Ratification thereof in good Form within the time that shall have been agreed. In witness whereof we have sign'd these Presents with our Hand, and have caus'd our private Seal to be affix'd thereunto. Given at *Versailles* the 19th day of *August*, in the Year of our Lord 1698. and of our Reign the 56th.

Sign'd, *Lewis*.

And on the Fold, by the King, *Colbert*.

WE liking well the abovesaid separate and secret Article, and all its Contents, have accepted, approv'd, ratify'd and confirm'd, and by these Presents do accept, approve, ratify and confirm the same, promising in the Faith and word of a King, to fulfil, observe, and cause to be observ'd sincerely and *bonâ fide*, without acting or suffering to be acted, directly or indirectly, to the contrary, for any cause or occasion whatsoever. In witness whereof we have sign'd these Presents with our Hand, and caus'd our private Seal to be affix'd thereunto. Given at

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Fountainbleau the 24th Day of October, in the Year of our Lord 1698. and of our Reign the 56th.

LEWIS. (L.S.)

By the King, Colbert.

*The French King's Ratification of the Separate Article
Explanatory of the Treaty.*

LEWIS by the Grace of God King of *France and Navarre*, to all who shall see these present Letters, Greeting. Whereas our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and of our Province of *Dauphine*, our Ambassador Extraordinary in *England*, has, by virtue of the full Power which we had granted him, concluded, made, and sign'd at the *Hague* the 11th of *October* last, with *William Benting* Earl of *Portland*, Knight of the Order of the Garter, one of the Privy Council of our most dear and most beloved Brother the King of *Great Britain*, first Gentleman of his Bedchamber, and General of his Horse; and Sir *Joseph Williamson*, Kt. likewise one of the Privy Council of our said Brother, and Keeper of the Papers of State, having like full Powers from our said Brother; and with *Francis Verboht* Senator and Burgomaster of the City of *Nimeguen*, Postmaster General in the Dutchy of *Guelderland*, the County of *Zutphen*, and other places; *Frederick Baron of Reede*, Lord of *Lier*; *St. Anthony Per Lee*, &c. Commander of *Buren*, of the Order of the Nobility of *Holland and Westfriesland*; *Anthony Heinsius* Counsellor, Pensionary, Keeper of the Great Seal, and Superintendent of the Fiefs of the same Province of *Holland and Westfriesland*; *John Becker* antient Senator and Burgomaster of the City of *Middleburg*; *John Vander Does* Lord of *Bergsteine*, of the Order of the Nobility of the Province of *Utrecht*; *William Van Haven* late Grietman of the *Bilt*, Deputy from the Nobility in the States of *Friesland*, and Curator of the University of *Francker*; *Arnold Lemker* Burgomaster of the City of *Daventer*; and *John de Drewes*, all Deputys in the Assembly of our most dear and great Friends the States General of the United Provinces of the Low-Countrys, from the Provinces of *Guelderland, Holland and Westfriesland, Zeland, Utrecht, Friesland, Overysse, Groningen and Omelandt*, having like full Powers from

from the said States General of the United Provinces of the *Low-Countrys*; a separate Article of the Treaty concluded the same day with our said Brother and the States General, the Tenour whereof follows.

In Explication of the fifth, seventh, and tenth Articles of the Treaty concluded this day at the *Hague*, it is agreed, That notwithstanding the Archduke *Charles* be not to give his Act of Renunciation before he is of Age, provided the Emperor and the King of the *Romans* have given theirs, the said Archduke may enter into possession of his Share at the time of the Decease of his Catholick Majesty without Issue, tho he be not of Age; it being well understood, that the said Archduke shall still be oblig'd to give his Act of Renunciation when he shall be of age. And in like manner it is agreed, That tho the Electoral Prince of *Bavaria* be under age, provided the Elector of *Bavaria*, his Father, in the quality of Father, and lawful Guardian and Administrator of the said Prince, has given his; the said Electoral Prince of *Bavaria* may enter into possession of his Share, at the time of the decease of his Catholick Majesty without Issue, tho under age: it being well understood, that the said Electoral Prince of *Bavaria* shall still be oblig'd to give his Act of Renunciation as soon as he shall be of age. In witness whereof we that have sign'd the Treaty, have also sign'd the present Article, and put our Seals thereunto. Done at the *Hague* the 11th of *October* 1698. Sign'd *Tallard*, *Portland*, *J. Williamson*, *Francis Verbolt*, *F. B. de Recde*, *A. Heinsius*, *John Beeker*, *J. Vander Does*, *G. Van Haren*, *Ar. Lemker*, and *J. de Drewes*.

LEWIS by the Grace of God King of *France* and *Navarre*, to all who these present Letters shall see, Greeting. The Desire of maintaining the Tranquillity of *Europe*, join'd with our Esteem and Friendship for our most dear and most beloved Brother the King of *Great Britain*, having induc'd us to enter into stricter Engagements with our said Brother, and to take jointly with him the necessary means for preventing the Events which might excite new Wars: Know ye, that we confiding intirely in the Experience, Capacity and Fidelity of our dear and well-beloved the Count *de Tallard*, Lieutenant-General of our Armys, and in our Province of *Dauphine*, and our Ambassador Extraordinary in *England*, have appointed, ordain'd

and deputed, and by these Presents do appoint, ordain and depute him to make, conclude, and sign in our name, with our said Brother the King of *England*, or with the Commissioners who shall be nam'd by him, being likewise provided with full Powers from him, such Treatys, Articles and Conventions as the said Count *Tallard* shall think good, with the same Liberty and full Power as we should or might do, if we were there personally present, notwithstanding there should be matter which might require a more special Command than is contain'd in these Presents; promising in the Faith and Word of a King, to fulfil and execute punctually, to approve and hold firm and stedfast for ever, whatsoever the said Count *de Tallard* shall have promis'd and sign'd in our name, by virtue of the present Power, without ever acting or suffering to be acted to the contrary, for any cause or under any pretence whatsoever; as also to finish the Ratification thereof in good Form within the time that shall have been agreed. In witness whereof we have sign'd these Presents with our Hand, and have caus'd our private Seal to be affix'd thereunto. Given at *Ferrières* the 19th Day of *August*, in the Year of our Lord 1698. and of our Reign the 56th.

Sign'd, *LEWIS*.

And on the fold, by the King, *Colbert*.

WE liking well the said Separate Article, and all its Contents, have accepted, approv'd, ratify'd and confirm'd, and by these Presents do accept, approve, ratify and confirm the same; promising in the Faith and Word of a King, to fulfil and observe it sincerely and *bonne foy*, without acting or suffering to be acted to the contrary, directly or indirectly, for any cause or occasion whatsoever. In witness whereof we have sign'd these Presents with our Hand, and caus'd our private Seal to be affix'd thereunto. Given at *Fountainbleau* the 25th day of *October*, in the Year of our Lord 1698. and of our Reign the 56th.

LEWIS, (L.S.)

By the King, *Colbert*.

The Death of the Electoral Prince of Bavaria happening not long after the concluding of this Treaty, occasion'd another that here follows.

The Treaty betwixt the most Christian King, the King of Great Britain, and the States General of the United Provinces, for settling the Succession of the Crown of Spain, &c. in case his Catholick Majesty die without Issue; commonly call'd the Second Treaty of Partition.

BE it known unto all who shall see these Presents, That the most serene and most potent Prince *Lewis XIV.* by the Grace of God most Christian King of *France and Navarre, &c.* and the most serene and most potent Prince *William III.* also by the Grace of God King of *Great Britain, &c.* and the Lords States General of the United Provinces of the *Low Country's*, having nothing more in design than to confirm by new Obligations that good Intelligence re-establish'd between his most Christian Majesty, his Majesty of *Great Britain*, and the said Lords States General of the United Provinces, by the last Treaty concluded at *Reswick*; and to prevent, by taking timely measures, those Events which may raise new Wars in *Europe*, have to this end given their full Powers to conclude a new Treaty: that is to say, his most Christian Majesty to the *Sieur Camille d' Hortang, Count de Tallard*, Lieutenant-General of the King's Armys, and of his Province of *Dauphine*, Ambassador Extraordinary of *France* in *England*; and to the *Sieur Gabriel Count de Briord, Marquess de Senezan*, one of his Majesty's Privy Council, and his Ambassador Extraordinary to the States General of the United Provinces of the *Low Country's*: his said *Britannick* Majesty to the *Sieur William Earl of Portland*, Viscount of *Cirencester*, Baron of *Woodstock*, Knight of the Garter, and Privy Counsellor to the King; and to the *Sieur Edward Earl of Jersey*, Viscount *Villars*, Baron of *How*, Knight Marshal of *England*, first Secretary of State, and Privy Counsellor to the King: and the said States

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General to the Lords *John van Erfen* Burgomaster and Senator of the Town of *Zutphen*, Curator of the University of *Hardermyeck*; *Frederick* Baron *Rheede*, Lord de *Licr*; *St Anthony Per Lee* of the Order of the Nobility of *Holland* and *Westfrieze*; *Anthony Heinsius*, Counsellor, Pensionary, Keeper of the Great Seal, and Superintendent of the Fiefs of the same Province; *William of Nassau*, Lord d'*Odyke*, *Cortgene*, first Noble and Representative of the Nobility in the Assembly of the States and of the Deputys, Counsellor of *Zeland*; *Everhard de Weede*, Lord of *Weede*, *Dickvult*, *Rattles*, Lord of the Mannor of the Town of *Oudemuer*, Dean and Member of the Imperial Chapter of *St. Mary* of *Utrecht*, Dickgrave of the River *Rhine* in the Province of *Utrecht*, and President of the States of the same Province; *William van Haren*, *Griedman du Bild*, Deputy of the Nobility of the States of *Frieze*, Procurator of the University of *Franeke*; *Arnold Lemker*, Burgomaster of *Daventer*; and *John van Heck*, Senator of the Town of *Groningen*: all Deputys of the said Lords States General, on behalf of *Guelderland*, *Holland* and *Westfrieze*, of *Zeland*, of *Utrecht*, of *Frieze*, of *Overyssel*, and of *Groningen* and *Omelandt*; who by virtue of the said Powers have agreed to the following Articles.

I. The Peace re-establish'd by the Treaty of *Reswick* between his most Christian Majesty, his *Britannick* Majesty, and the Lords States General of the United Provinces of the *Low Countries*, their Heirs and Successors, their Kingdoms, States and Subjects, shall be firm and constant; and their Majestys, and the said Lords States General of the United Provinces of the *Low Countries*, shall reciprocally do what they can to contribute to the Advantage and Profit one of the other.

II. As the Principal Object which his said most Christian Majesty, his said Majesty of *Great Britain*, and the said States General propose to themselves is that of maintaining the general Tranquillity of *Europe*; they could not without sorrow understand that the state of the King of *Spain's* Health hath for some time been so languishing, that the Life of the said Prince is much fear'd: Tho they cannot think upon this Event without Trouble, because of the sincere and true Love they have for him; they have nevertheless thought it the more necessary to consider it, because his Catholic Majesty having no Children, the business of the

the Succession will infallibly raise a new War, if the most Christian King should maintain his own Pretension, those of Monseigneur the *Dauphin*, or of his Successors, to the whole Succession of *Spain*; and if the Emperor should also make good his Pretensions, those of the King of the *Romans*, of the Archduke his Second Son, or of his other Children Males or Females, unto the said Succession.

III. And as the two Kings and the Lords the States General desire, above all things, the Conservation of the publick Peace, and to prevent a new War in *Europe*, by accommodating the Disputes and Differences which might arise upon the Subject of the said Succession, or by the Umbraige of three Estates reunited under one and the same Prince, they have thought good to take beforehand necessary measures to prevent the Evils which the sorrowful Event of the Catholick King's Death without Children might produce.

IV. Therefore it is agreed, that if it should so happen, the most Christian King, as well in his own Name as in that of Monseigneur the *Dauphin*, his Male Children, Heirs and Successors, born or to be born; as also Monseigneur the *Dauphin* for himself, his Male Children, &c. shall hold himself satisfy'd, and do hold themselves satisfy'd by these Presents, That Monseigneur the *Dauphin* shall have for his Share in full Property and Possession, and in lieu of all his Pretensions to the Succession of *Spain*, to be enjoy'd by him, his Heirs, Successors, Descendants, Males or, &c. for ever, without ever being molested under any pretence whatsoever in his Rights or Pretensions, directly or indirectly, either by Cession, Appeal, Revolt, or otherways by the Emperor, the King of the *Romans*, the most serene Archduke *Charles* his Second Son, the Arch Dutchess, his other Issue Male, or, &c. the Kingdoms of *Naples*, and of *Sicily*, in the same manner the *Spaniards* possess them at present, the Places depending upon the Monarchy of *Spain*, situated on the Coast of *Tuscany*, or the Isles adjacent, being therein comprehended, under the name of *Sancto Stephano*, *Porto Hercole*, *Orbitello*, *Palamone*, *Portolongo*, *Piombin*: In that same manner also as the *Spaniards* possess them at present, the City and Marquisate of *Final*; in that same manner also as they possess them, the Province of *Guipuscoa*, and particularly the Citys of *Fontarabia* and *St. Sebastian* situated in that Province, and especially the Port of *Passage* which is therein comprehended, with this Restriction only, That if there

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there be any Places depending upon the said Province, which shall be found situated beyond the *Pyrenees*, or the other Mountains of *Navarre*, *Alava*, or *Biscay*, on the side of *Spain*, they shall remain to *Spain*; and if there be any Places in like manner depending upon the Provinces subjected to *Spain*, which are on this side the *Pyrenees*, or other Mountains betwixt the said Province of *Guipuscoa*, *Navarre*, *Alava* and *Biscay*, let them belong to whom they will, they shall be divided between *France* and *Spain*, in such sort as there shall remain as much of the said Mountains and Passes to *France* on her side, as shall remain to *Spain* on hers; the whole with the Fortifications, Ammunition of War, Powder, Ball, Cannon, Gallies, Galley-slaves, which shall be found belonging to the King of *Spain* at the time of his Decease without Issue, and to be annex'd to the Kingdoms, Places, Islands and Provinces, which are to compose the share of Monseigneur the *Dauphin*: provided that the Gallies, Galley-slaves, and the Effects belonging to the King of *Spain* for the Kingdom of *Spain*, and other Dominions which fall to the share of the most serene Arch-Duke, shall remain to him; those which belong to the Kingdoms of *Naples* and *Sicily* being to return to Monseigneur the *Dauphin*, so as abovesaid.

Further, the Dominions of the Duke of *Lorain*, that is to say, the Dutchys of *Lorain* and *Bar*, so as *Charles V.* of that name possess'd them, and as they were restor'd by the Treaty of *Reswick*, shall be yielded and transfer'd to Monseigneur the *Dauphin*, his Heirs and Successors, Males, or, &c. in Property and full possession, in lieu of the Dutchy of *Milan*, which shall be quitted and exchange'd to the said Duke of *Lorain*, his Male Children, or, &c. in all Property and full Possession; who will not refuse so advantageous a Bargain, it being understood that the County of *Bitsch* belongs to Monsieur the Prince of *Vaudemont*, who shall enter into possession of the Lands which he heretofore enjoy'd, which have been or ought to have been restor'd according to the Treaty of *Reswick*: on the account of which said Kingdoms, Islands, Provinces, and Places, the said most Christian King as well in his own as in the name of Monseigneur the *Dauphin*, his Male Children, or, &c. who hath also given his full Power to the Count *de Tallard* and to the Count *de Briord*, promising and engaging themselves to renounce at the opening of the said Succession of *Spain*, as in this case they have at this time

time renounc'd by these Presents, all their Rights and Pretensions to the said Crown of *Spain*, and to all the other Kingdoms, Islands, States, Lands, and Places, which at this time depend thereupon, except what is above excepted for his part. All which they shall confirm by solemn Acts in the most authentick and best form as may be; which shall be deliver'd at the Time of the Exchange of the Ratification of this present Treaty to the King of *Great Britain* and the States General.

V. All the Towns, Places, and Ports situate in the Kingdoms and Provinces which are to compose the Share of Monseigneur the Dauphin, shall be preserv'd without being demolish'd.

VI. The said Crown of *Spain* and the other Kingdoms, Islands, States, Lands and Places, which the Catholick King at this time possesses, as well within as without *Europe*, shall be given to the most Serene Archduke *Charles*, second Son to the Emperor, except what has been given in the fourth Article for the Share of the Dauphin, and of the Dutchy of *Milan*, according to the said fourth Article, in full propriety and possession, as his Part, excluding all his other Pretensions to the said Succession of *Spain*; to enjoy the same for himself and Successors born or to be born, for ever, without being ever molested under any pretext whatsoever of Rights or Pretensions, directly or indirectly, by Cession, Appeal, Revolt, or otherwise, on the part of the most Christian King or Monseigneur the Dauphin, or his Children, Male, or, &c. For which said Crown of *Spain*, and other Kingdoms, Islands and Places thereupon depending, the Emperor as well in his own Name as in that of the King of the *Romans*, and the Archduke *Charles* his second Son, the Archdutchesses his Daughters, his Children, Male, or, &c. as also the King of the *Romans*, for himself, and the most Serene Archduke *Charles*, as soon as he shall be of Age, for himself, their Children, &c. shall be satisfy'd that the most Serene Archduke *Charles* shall have in lieu of all their Pretensions upon the Crown of *Spain*, the said Cession abovesaid. And the said Emperor, as well in his own name as in that of the King of the *Romans*, the most Serene Archduke *Charles* his second Son, the Archdutchesses his Daughters, his Children, Male, or &c. or their Issue; as also the said King of the *Romans*, in his own name shall renounce, when they shall enter into, and ratify this present Treaty; and the most Serene Archduke

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duke *Charles*, as soon as he shall be of Age, all other Rights and Pretensions to the said Kingdoms, Islands, States, Lands and Places which compose the Share or Portion assign'd to Monseigneur the Dauphin, and of him who shall have the Dutchy of *Milan* by exchange of what shall be given to Monseigneur the Dauphin: of all which they shall cause the most solemn and authentick Acts to be made that may be; that is to say, the Emperor and the King of the *Romans* when they shall ratify this present Treaty, and the most Serene Archduke as soon as he shall come of Age; which shall be deliver'd to his *Britannick* Majesty and the said States General.

VII. Immediately after the Exchange and Ratification of this present Treaty, it shall be communicated to the Emperor, who shall be invited to enter thereinto. But if after three months time from the day of the said Communication and the said Invitation, or the day that his Catholick Majesty shall die (if it happen before the expiration of the said three Months) his Imperial Majesty and the King of the *Romans*, should refuse to enter thereinto, and to agree to the Share assign'd to the most Serene Archduke *Charles*; the two Kings, or their Successors, and the States General, shall agree upon a Prince to whom that part shall be given: and in case, notwithstanding the present Convention, the most Serene Archduke shall take possession either of the part which might fall to him, before he has accepted the present Treaty, or of that part which might be assign'd to Monseigneur the Dauphin, or to him who shall have the Dutchy of *Milan* in exchange, as abovesaid; the said two Kings and the States General, by virtue of this Convention, shall hinder him with all their Forces.

VIII. The most Serene Archduke shall not pass into *Spain*, nor into the Dutchy of *Milan*, during the Life of his Catholick Majesty, but with common consent, and not otherwise.

IX. If the most Serene Archduke should die without Children, either before or after the Death of the Catholick King, the Share which is hereby assign'd to him by the Articles of this Treaty, shall come to such Male Child of the Emperor, or, &c. except the King of the *Romans*, or such Children, Males, or, &c. of the King of the *Romans*, which his Imperial Majesty shall think fit to assign it to. And in case his said Imperial Majesty should die without having made the abovesaid Assignment, it may be
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done by the King of the *Romans*; but on condition that the said part shall never be united nor belong to the Person of him who shall be Emperor or King of the *Romans*, or is become one or the other, be it by Succession, Will, Contract of Marriage, Donation, Exchange, Cession, Appeal, Revolt, or otherways. And in like manner the said Share of the Serene Archduke shall never come or belong to the Person of a Prince that shall be King or Dauphin of *France*, or that is become one or the other, be it by Succession, Will, Contract of Marriage, Donation, or otherwise.

X. The King of *Spain* dying without Children, and the abovesaid Case happening, the two Kings and the States General do oblige themselves to leave the whole Succession in the same state as it shall then be, without seizing the whole or any part directly or indirectly; but each Prince immediately may put himself in possession of what is assign'd him as his Share, as soon as he has fulfill'd on his part the fourth and sixth preceding Articles: And in case of difficulty, the two Kings and the States General shall do their utmost endeavours, to the end that each one shall be put in possession of his part according to this Agreement; and that it may have its entire effect, engage themselves to give by Sea and Land such Help and Assistance of Men and Ships, as shall be necessary to constrain by force such who shall oppose the said Execution.

XI. If the abovesaid Kings and States General, or either of them, be attack'd because of this Convention, or of the Execution that shall be thereof made, they shall mutually assist one another with all their Forces, and render themselves Guarantees of the abovesaid Conventions and of the Renunciations made thereupon.

XII. All Kings, Princes, and States, that will enter into the same, shall be admitted into the present Treaty: and it shall be lawful to the two Kings and States General, and to each of them in particular to require and invite all that they shall think fit to enter into this present Treaty, and to be jointly Guarantees for the Execution thereof, and of the Validity of the Renunciations herein contain'd.

XIII. And for the further securing the Peace of *Europe*, the said Kings, Princes and States shall not only be invited to be Guarantees of the Execution of the present Treaty and of the Validity of the Renunciations, as above: but if any one of the Princes, in favour of whom the Shares

are assign'd, do in time to come break the Order establish'd by this Treaty, and begin new Enterprizes contrary to the same, and so aggrandize himself at the expence of one or other, under any pretence whatsoever; the Guaranty of this Treaty shall be understood to extend so far also in this case, that all the Kings, Princes and States who promise the same, shall be oblig'd to employ their Forces against such Enterprizes, for the maintaining all things in the same condition as agreed to by the said Articles.

XIV. In case any Prince whatsoever oppose the taking possession of the Shares agreed on, the said two Kings and the States shall be oblig'd to assist one another against such Opposition, and to hinder it with all their Forces; and shall agree, after the signing this present Treaty, on the proportion that each shall contribute both by Sea and Land.

XV. The present Treaty, and all Acts made, or that have dependence thereupon, and especially the solemn Acts that his most Christian Majesty and Monseigneur the Dauphin are oblig'd to give, by virtue of the fourth Article aforesaid, shall be register'd in the Parliament of *Paris*, according to the Form and Tenour, and usual Custom, to have place amongst the Conditions therein contain'd, as soon as the Emperor has enter'd into the present Treaty, or at the end of three months that are allow'd him for that purpose, in case he does not enter into it sooner. And likewise his Imperial Majesty, when he enters into the same, shall be oblig'd to get it approv'd and register'd, with all the Acts made in consequence thereof, or which have relation thereunto; especially the solemn Acts which his Imperial Majesty, the King of the *Romans*, and the most serene Archduke shall be oblig'd to give, by virtue of the sixth Article aforesaid, in the Council of State or otherwise, according to the most authentick Form of the Country.

XVI. The Ratifications of the two Kings, and the States General, shall be all three exchange'd at *London* at the same time, within the space of three weeks, reckoning from the day that the States General shall have sign'd, or sooner if possible. Done and sign'd at *London*, 3 *March* N. S. 1700. and 21 *Febr.* V. S. 1699. by us Plenipotentiarys of *France* and *England*; and at the *Hague*, the 25th of the said Month of *March*, 1700. by us Plenipotentiarys of *France*,

France, and of the States General; the two Kings and the said States having agreed that the signing of this present Treaty should be perform'd in this manner. In witness whereof we have sign'd the said present Treaty with our Hands, and caus'd the Seals of our Arms to be affix'd.

Sign'd, *Tallard, Briord, Portland, Jersey, J. van Ersen, F. B. de Reede, A. Heinsius, W. de Nassau, E. de Weede, W. van Haren, Ar. Lemker, Van Heek*, with their Seals.

The Second Grand Alliance, or the Treaty concluded between the Emperor, the King of Great Britain, and the States General, September 7, 1701.

WHEREAS *Charles* the Second King of *Spain*, of most Glorious Memory, being not long since dead without Issue, his Sacred Imperial Majesty has claim'd the Succession in the Kingdoms and Provinces of the deceas'd King as lawfully belonging to his August Family; but the most Christian King aiming at the same Succession for his Grandson the Duke of *Anjou*, and pretending a Right did accrue to him by a certain Will of the deceas'd King, has usurp'd the possession of the entire Inheritance, or *Spanish* Monarchy, for the aforesaid Duke of *Anjou*, and invaded by his Arms the Provinces of the *Spanish Low-Countrys* and the Dutchy of *Milan*; has a Fleet ready fitted in the Port of *Cadiz*, has sent several Ships of War to the *Spanish West-Indies*; and by this and many other ways the Kingdoms of *France* and *Spain* are so closely united and cemented, that they may seem henceforward not to be otherwise consider'd than as one and the same Kingdom: so that it sufficiently appears, unless timely care be taken, that his Imperial Majesty will be destitute of all hopes of ever receiving Satisfaction in his Pretension, the Sacred Roman Empire will lose its Rights in the Fiefs belonging to it in *Italy* and the *Spanish Netherlands*; the free Intercourse of Navigation and Commerce which the *English* and *Dutch* have in the *Mediterranean*,
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the *Indies*, and other places, will be utterly destroy'd; and the United Provinces will be depriv'd of the Security which they enjoy'd by the Provinces of the *Spanish Netherlands* lying between them and the *French*, which is commonly call'd a Barrier. Lastly, That the *French* and *Spaniards*, being thus united, will within a short time become so formidable to all, that they may easily assume to themselves the Dominion over all *Europe*. And therefore by this way of proceeding of the most Christian King, his Imperial Majesty was brought under a necessity of sending an Army, for the Preservation as well of his own private Interests, as the Fiefs of the Empire; the King of *Great Britain* has thought it requisite to send his Forces to the Assistance of the States General, whose Affairs are in the same condition as if they were actually invaded; and the said States, whose Frontiers lie in a manner expos'd on all sides, by the breaking and taking away of that Fence commonly call'd a Barrier, which skreen'd them from the Neighbourhood of the *French*, are forc'd to do all those things for the Safety and Defence of their Commonwealth, which they should and could do if they were in a War: And whereas so dubious a Posture of their Affairs is more dangerous than a War it self, and that *France* and *Spain* take advantage of this State of their Affairs, to make a stronger and firmer Union between themselves, for oppressing the Liberty of *Europe*, and taking away the Freedom of Commerce. These Reasons inducing his Sacred Imperial Majesty, his Sacred Royal Majesty of *Great Britain*, and the High and Mighty Lords the States General of the United Provinces, to obviate so great Evils as might arise from thence; and desiring as much as lies in their Power to apply Remedys thereto, have thought a strict Conjunction and Alliance between themselves necessary for repelling the Greatness of the common Danger; and to this end have given Orders and Instructions (that is to say) his Sacred Imperial Majesty to the most Noble, most Illustrious, and most Excellent Lords, the Lord *Peter Count of Goeffen*, Count of the Sacred Roman Empire, Lord of *Careliberg*, of the Bed-Chamber to his sacred Imperial Majesty, Counsellor of the Imperial Court, and Envoy Extraordinary to the High and Mighty Lords the States General of the United Provinces; and the Lord *John Wenceslaus*, Count *Wratislav* of *Mitrowitz*, Count of the Sacred Roman Empire, Lord of *Gnietz* and
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Mallexnitz, of the Bed-Chamber of his Sacred Royal Majesty of the *Romans* and *Hungary*, Counsellor and Assessor of the Privy-Chancery of the Court of *Bohemia*, and his Sacred Imperial Majesty's Envoy Extraordinary to the Most Serene King of *Great Britain*, his Ambassadors Extraordinary and Plenipotentiarys: his Sacred Royal Majesty of *Great Britain*, the most Noble, most Illustrious and most Excellent Lord, the Lord *John* Earl of *Marlborough*, Baron *Churchil* of *Sandrige*, of his Sacred Royal Majesty's Privy-Council, General of the Foot, and Commander in Chief of his said Sacred Royal Majesty's Forces in the *Low-Countrys*, his Ambassador Extraordinary, Commissary, Procurator and Plenipotentiary: and the Lords the States-General, the Lords *Diderie Eck de Pantalion*, Lord of *Ghent* and *Erlekum*, *Frederick* Baron of *Rhede*, Lord of *Lier*, of the District of *St. Anthony*, and *Terlee*, Commander of *Bury*, one of the Nobles, and of the Order of Knighthood of *Holland* and *Westfriesland*, *Anthony Heinsius*, Counsellor and Pensionary of the Lords the States of *Holland* and *Westfriesland*, Keeper of their Great Seal, and President of the Fiefs; *William* of *Nassau*, Lord of *Odyck*, *Cortgene*, &c. first Noble and Representative in the Order of the Nobility in the Assembly of the Lords the States of *Zeeland*, and of their Deputys; *Everhard de Weede*, Lord of *Weede*, *Dykvelt*, *Rateles*, &c. Lord of the Soil of the City of *Oudewater*, Dean of the Chapter of *St. Marys* at *Utrecht*, Prime Counsellor and President of the Assembly of the Province of *Utrecht*, Prefect and Judge of the Banks of the River *Leeke*; *William van Haren*, Steward of the County of *Bilten* in *Friesland*, Chancellor of the University of *Franequer*, Deputy of the Nobility in the Assembly of the Lords of the States of *Friesland*; *Burchard Joost a Welvelde* in *Buckhurst* and *Molekate*, Lord in *Zallick* and *Vehate*, Lord Lieutenant of the County of *Issehimde*; and *Wicker Wickers*, Senator of the City of *Groningen*; Deputys respectively of the Lords the States of *Geldres*, *Holland* and *Westfriesland*, *Zeeland*, *Utrecht*, *Friesland*, *Overysell* and *Groningen*, and the *Omlands*, to the Assembly of the Lords the States-General of the *United Provinces*: who by virtue of the Powers to them given, have agreed to the following Articles of Alliance.

I. There shall be and continue, between his Sacred Imperial Majesty, his Sacred Royal Majesty of *Great Britain*, and the Lords the States General of the *United Provinces*, a constant, perpetual and inviolable Friendship and Cor-

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respondence: and either Party shall be oblig'd to promote the Advantages of the other, and prevent all Inconveniencies and Damages that might happen to them, as far as lies in their Power.

II. His Sacred Imperial Majesty, his Sacred Royal Majesty of *Great Britain*, and the States General, desiring nothing more earnestly than the Peace and general Quiet of all *Europe*, have judg'd that nothing can be more effectual for the Establishment thereof, than the procuring an equitable and reasonable Satisfaction to his Imperial Majesty for his Pretension to the *Spanish* Succession; and that the King of *Great Britain*, and the States General, may obtain a particular and sufficient Security for their Kingdoms, Provinces and Dominions, and for the Navigation and Commerce of their Subjects.

III. The Confederates therefore shall in the first Place use their utmost endeavours to obtain by amicable means, and a solid and firm Agreement, an equitable and reasonable Satisfaction for his Imperial Majesty, on account of the aforesaid Succession, and the Security before-mention'd to his Royal Majesty of *Great Britain*, and the Lords the States General of the *United Provinces*; and the Confederates shall to that purpose employ two Months time with all earnestness, and without Intermission, to be reckon'd from the day that the Instruments of Ratification shall be exchange'd.

IV. But if contrary to their expectations and wishes, matters cannot be transacted in the manner aforesaid within the time limited, the Confederates do engage and promise to one another that they will assist each other with all their Forces, according to a Specification to be agreed upon in a peculiar Convention to that purpose, that so they may attain the Satisfaction and Security before-mention'd.

V. The Confederates, in order to the procuring the Satisfaction and Security aforesaid, shall amongst other things use their utmost endeavours to recover the Provinces of the *Spanish Low-Countrys*, that they may be a Fence and Rampart, commonly call'd a Barrier, separating and distancing *France* from the *United Provinces*, for the security of the States-General, as they have serv'd in all times until of late, that the most Christian King has seiz'd them by his as likewise the Dutchy of *Milan*, with its dependencies, as a Fief of the Empire, and contributary security of his Imperial Majesty's Hereditary Com

sides the Kingdom of *Naples* and *Sicily*, and the Lands and Islands upon the Coasts of *Tuscany*, in the *Mediterranean*, that belong to the *Spanish* Dominions, and may serve to the same purpose; and will also be of advantage to the Navigation and Commerce of the Subjects of the King of *Great Britain*, and of the *United Provinces*.

VI. It shall be lawful for his Royal Majesty of *Great Britain*, and the Lords the States General by common advice, and for the benefit and enlargement of the Navigation and Commerce of their Subjects, to seize by their Forces what Lands and Citys they can belonging to the *Spanish* Dominions in the *Indies*; and whatsoever they shall so take, shall be their own.

VII. In case the Confederates, necessity requiring it, shall be forc'd to enter into a War for obtaining the Satisfaction aforesaid for his Imperial Majesty, and the Security of his Majesty of *Great Britain* and the States General; they shall faithfully communicate their designs to one another, as well in relation to the Actions of the War, as all other things, where the common Cause is concern'd.

VIII. It shall not be permitted to either Party, when the War is once begun, to treat of Peace with the Enemy, unless jointly and with the common advices of the other Partys; and no Peace shall be made, unless an equitable and reasonable satisfaction for his Imperial Majesty, and the particular Security of the Kingdoms, Provinces, Dominions, Navigations and Commerce, for his Majesty of *Great Britain*, and the States General, be first obtain'd; and unless care be taken by fitting Security that the Kingdoms of *France* and *Spain* shall never come and be united under the same Government; nor that one and the same Person shall be King of both Kingdoms; and particularly that the *French* shall never get into the Possession of the *Spanish Indies*, neither shall they be permitted to sail thither on the account of Traffick directly or indirectly on any pretence whatsoever: and lastly, unless full liberty be granted unto the Subjects of the King of *Great Britain* and the States General, to exercise and enjoy all the same Privileges, Rights, Immunities and Franchises of Commerce by Sea and Land, in *Spain*, the *Mediterranean*, and all Lands and Places which the King of *Spain* last deceas'd did possess at the time of his Death, as well in *Europe* as elsewhere, which they us'd and enjoy'd, or which the Subjects of both or either of them by any Right acquir'd by

Treatys, Agreements, Customs, or any other way whatsoever, might have us'd and enjoy'd before the Death of the late King of *Spain*.

IX. At the same time that the said Agreement or Peace shall be made, the Confederates shall agree amongst themselves about all the things that they shall think necessary for maintaining the Navigation and Commerce of the Subjects of his Majesty of *Great Britain* and the States General, in the Lands and Dominions they may acquire, and that were possess'd by the late deceas'd King of *Spain*, and also in what manner the States General may be secur'd by the aforesaid Fence or Barrier.

X. And because Controversys may arise on account of Religion, in the places which the Confederates, as it is hop'd, may acquire by their Arms; they shall agree amongst themselves, concerning the Exercise of it at the same time, as is mention'd in the foregoing Article.

XI. The Confederates shall be oblig'd to assist and succour one another with all their Forces against any Aggressor, if the most Christian King, or any one else shall think fit to invade any one of the Confederates, on the account of this Alliance.

XII. But if an Agreement can now be made concerning the Satisfaction and Security so often mention'd, or if after a War enter'd into by necessity, Peace shall be again restor'd, there shall after such an Agreement, or Peace concluded, be and always continue between the contracting Partys, a Defensive Alliance for the maintenance of the said Agreement or Peace.

XIII. All Kings, Princes and States, that please to have a concern for the General Peace, shall be admitted into the Society of this Alliance; but because it is the peculiar Interest of the Sacred *Roman Empire*, that the publick Quiet shou'd be preserv'd, and the recovery of the Fiefs of the Empire, being among other things the Subject now in hand, the said Empire shall in a special manner be invited into the Society of this Alliance. It shall moreover be lawful for the Confederates, jointly, or any of them separately, to desire whomsoever they shall think fit to be an Accessory to this Alliance.

XIV. This Treaty shall be ratify'd by all the rates within the space of six Weeks, or sooner, be done.

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In witness whereof we the abovenam'd Plenipotentiarys have sign'd this present Treaty with our Hands and Seals, at the *Hague*, the 7th day of *September*, 1701.

(L. S.) *Marlborough.*

The Queen of England's Declaration of War against France, May 4, 1702.

ANNE R.

WHEREAS it hath pleased Almighty God to call us to the Government of these Realms, at a time when our late dear Brother *William III.* of Glorious Memory, had, in pursuance to the repeated Advice of the Parliament of this Kingdom, entred into solemn Treatys of Alliance with the Emperor, the States General of the *United Provinces*, and other Princes and Potentates, for preserving the Liberty and Ballance of *Europe*, and for reducing the exorbitant Power of *France*; which Treatys are grounded upon the unjust Usurpations and Encroachments of the *French* King, who had taken and still keeps possession of a great part of the *Spanish* Dominions, exercises an absolute Authority over all that Monarchy, having seiz'd *Milan* and the *Spanish* Low-Countrys by his Armys, and made himself Master of *Cadiz*, of the Entrance into the *Mediterranean*, and of the Ports in the *Spanish* West-Indies by his Fleets, every where designing to invade the Libertys of *Europe*, and to obstruct the freedom of Navigation and Commerce: And it being provided by the third and fourth Articles of the foremention'd Alliance, that if in the space of two Months, which are some time since expir'd, the Injuriys complain'd of were not remedy'd, the Partys concern'd shou'd mutually assist each other with their whole strength; and whereas instead of giving the satisfaction that ought justly to be expected, the *French* King has not only proceeded to farther violence, but has added thereunto a great Affront and Indignity to us and our Kingdoms, in taking upon him to declare the pretended Prince of *Wales* King of *England*, *Scotland* and *Ireland*,

and has also influenc'd *Spain* to concur in the same Affront and Indignity, as well as in other Oppressions: we find ourselves oblig'd, for maintaining the publick Faith, for vindicating the Honour of our Crown, and to prevent the mischief which all *Europe* is threatned with, to declare, and we do hereby accordingly declare War against *France* and *Spain*. And placing our entire confidence in the help of Almighty God, in so just and necessary an Undertaking, we will, in conjunction with our Allys, vigorously prosecute the same by Sea and Land, being assur'd of the ready concurrence and assistance of our Subjects, in a Cause they have so openly and so heartily espous'd.

And we do hereby will and require our Lord High Admiral of *England*, our General of our Forces, our Lieutenants of our Countys, Governors of our Forts and Garisons, and all other Officers and Soldiers under them by Sea and Land, to do and execute all Acts of Hostility, in the prosecution of this War against *France* and *Spain*, or their Subjects: But because there are remaining in our Kingdoms many of the Subjects of *France* and *Spain*, we do declare our Royal Intention to be, that all the Subjects of *France* and *Spain*, who shall demean themselves dutifully towards us, shall be safe in their Persons and Estates.

*The Manifesto of the States General of
the United Provinces, against France
and Spain, May 8, 1702.*

K NOW ye, that the King of *France* for a long time since, having cast his Eye upon these Provinces, to seize upon the same, if possible, or entirely to destroy and ruin them, has in order to compass his design, twice attack'd this Republick, viz. in the years 1672, and 1688, by a most unjust and violent War, tho we have done our utmost to avoid the same, and preserve the continuation of Peace and Tranquillity; that nothing is more evidently known than that, if that King had succeeded in his design, and possess'd himself of these Provinces, he would thereby have made his way to Universal Monarchy; and if he had
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but only weaken'd them and forc'd them to sit still, and separate themselves from their Allys, 'tis no less notorious, that he might have attain'd his Aim by subduing other Princes and Powers, whereby this Republick had been in manifest danger of being reduc'd, as well as other States, and losing her Religion and Libertys, which are the two precious Advantages for which the Subjects of this State have formerly suffer'd so many cruel Persecutions, and which they could never fully and entirely enjoy, till they had frankly and heartily sacrific'd their Fortunes and Blood, with every thing else that was dear to them, and maintain'd a War of eighty years standing, against the then powerful Kings of *Spain*.

That notwithstanding it hath pleas'd God to punish these his Provinces by the two last Wars because of their Sins, yet he hath not permitted the *French* King to put in execution his Ambitious Designs; but on the contrary has so favour'd the Arms of the Republick and their Allys, that they obtain'd in the years 1678 and 1697, a General Peace, whereby *France* was oblig'd to restore large Provinces, Lordships and Important places to the Emperor, the Empire and the King of *Spain*, which she had possess'd, partly by violent Force, and partly by Craft and Artifices, under the specious name of Re-union, and other pretences against the Treaty of *Nimeguen*.

That the Treaty of Peace of *Reswick*, and that of Commerce being solemnly concluded in the year 1697, we had all the reason in the World to flatter ourselves that the same would be *bona fide* executed in all its Points; but we find on the contrary by experience, that they did not design on the part of *France* to observe them, but only to induce us and our Allys to lay down our Arms, disband our Forces, and separate us from one another, in order to weaken us, and in particular to enervate and ruin our Subjects, in ruining their Commerce, that they might the more easily obtain the Aim here above-mention'd. This is so notorious, that the Treaty aforesaid of Peace and Commerce were hardly ratify'd, than they began manifestly to encroach upon the Trade of these Provinces, which is the Sinew of this State, by their openly refusing to grant us the Tariff, promis'd unto us by the Treaty aforesaid, putting thereby the Subjects and Merchants of this Republick to numberless Troubles upon that account; which oblig'd us after a long, tedious and expensive Negotiation, to accept

a Tariff, tho disadvantageous to us, contrary to the tenor of the said Treaty, in order to prevent a greater mischief.

That notwithstanding it was stipulated by the fifth Article of the said Treaty of Commerce, that such of our Subjects who should settle in *France*, for carrying on their Trade, shou'd be free and exempted from the Dutys and Taxes laid upon Foreigners; yet excessive Dutys have been laid upon our Subjects, and we have been forc'd to see and hear the same.

That in the mean while the King of *France* omitted nothing to persuade us by all imaginable Protestations, that he had no other design than the Preservation of the Peace, and the removing of all obstacles that might interrupt the same: And whereas the weak Constitution of the King of *Spain* cou'd not promise a long Life, and that his Death was like to cause great Wars and Differences, this occasion'd a Treaty, whereby on one side it was provided, that the *French* King should not have that exhorbitant Power, which otherwise he would have had by the Accession or Union of the *Spanish* Monarchy to his Crown, and by those means prevented the ill Consequences that all *Europe* was afraid of; and on the other hand Satisfaction was given to others, who claim'd the said Succession, in order to preserve the General Peace.

That upon this Foundation the King of *France* having concluded on the 3d and 25th day of *March* 1700, a solemn Treaty with the King of *England* and this State, we were in hopes to preserve thereby the General Peace. Yet that Treaty was no sooner concluded and ratify'd, but it most evidently appear'd, it was not the Intention of the *French* King to stand by it and observe it; but on the contrary that they us'd all manner of Artifices in the Court of *Spain*, not only to render the Emperor odious to the *Spaniards*, but also to oblige the King to dispose of his Succession by a Will in favour of *France*.

That the King of *Spain* having some time after departed this Life, they produc'd a Will whereby the Duke of *Anjou*, Grandson to the King of *France*, was declar'd Heir of all the Kingdoms and Dominions of the deceased King.

That the said Will being made publick, the *French* King did immediately give proof of his secret Intentions, of making use of all imaginable means to gratify his vast Ambition; and in order thereunto, without any respect or regard to a Treaty so solemnly and newly concluded, and the
repeated

repeated Protestations he had made, never to depart from it, he accepted the said Will, breaking and violating the Treaty aforesaid, without giving any previous Communication of his Intention to those with whom he had made it; notifying the same without any disguise to the Republick, and alledging for the principal Motive thereof, that the Spirit and Sense of the said Treaty, and not the Letter, were to be regarded, and explaining that Spirit and Sense in his own way, as he thought fit; not omitting at the same time to threaten us, and representing the Dangers and Misfortunes which we may expect, if we did not conform ourselves to that Spirit. Which Proceeding is a breach of Faith as uncommon and unheard of as ever was; and a dangerous Instance, which tends for the future to undermine and ruin the Faith of all publick Treatys.

That by virtue of the Testament aforesaid, that King did not content himself to cause the Duke of *Anjou* to be proclaim'd King of *Spain*, but he possess'd himself, in his Name, of all the Kingdoms and Dominions of the *Spanish* Monarchy, without any regard to the Pretensions of the Emperor, which were so fully own'd in the Treaty aforesaid, that they were not only laid as the Foundation of the said Treaty, but also so far acknowledg'd for just and lawful on all sides, that the greatest part of the *Spanish* Monarchy was yielded to the Archduke of *Austria*.

That the said King being unwilling to stop there caus'd his own Troops to take possession of the *Spanish Netherlands*, notwithstanding our own were in Garison therein, by the permission and consent of the late King of *Spain*, for the Defence and Security of the said Country; and with a great deal of Difficulty was at last persuaded to let our said Troops return home, after they were very much weaken'd: That by these means the Republick was at once depriv'd of her Rampart and Barrier, for which they had already maintain'd two bloody Wars, and which the King of *France* himself had assign'd in the Conditions of Peace, concluded in the year 1678, and contrary to what was particularly stipulated in the Treaty of Partition, and insisted upon on the part of the Republick, viz. that the said *Spanish Netherlands* should belong to the Archduke of *Austria*.

That the said King of *France* began immediately to govern arbitrarily the Kingdoms and Dominions of *Spain*, under the Name of his Grand Son, as well in Civil as Military Affairs; and has so united those States to his own, as
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if the same were but one and the same Kingdom and Government. Which can never more evidently appear than in the case of the *Spanish Netherlands*, the Barrier of this State, wherein it appears (as indeed they write it from *Spain*) that the said Provinces have been absolutely yielded and made over to the King of *France*, and that he exercises an absolute Authority over them, both in Civil and Military Affairs, and likewise in matters of the Finances.

That the *French King* having carry'd his exorbitant Power to that degree, which the Christian World had so long apprehended, and laid suitable Foundations for obtaining the Universal Monarchy, he did not delay long to put those Projects in execution, sending a formidable Army into *Italy*, to make himself entirely Master thereof, having already sent a great number of Troops into the *Spanish Netherlands*, to fright us, and to oblige us, if possible, to a separate Treaty, without our Allies.

That these Artifices, tho never so well concerted, falling short of the desir'd effect; the *French King* made use of all other imaginable ways to compel us thereunto by Force, and to that end seiz'd the City and Citadel of *Liege*, without the Consent of the Dean and Chapter; and without the previous consent and knowledge of the Emperor and the Empire, caus'd the Dean of the said Chapter to be by violence seiz'd, and carry'd away into the *Spanish* Dominions, that he might not oppose his Designs, and in order to strike a terror into the said Chapter.

That being not satisfy'd with having thus seiz'd upon *Liege*, and in order to straiten us more and more, he possess'd himself contrary to the Will of the Chapter of *Cologne*, of the most considerable places of that Archbishoprick, and namely of the Fortresses of *Bonn*, *Keyserwaert* and *Rinberguen* (his design upon the City of *Cologne* having happily miscarry'd by their good Conduct) to put himself in a condition to invade this Republick, as he had done in the year 1672. And that nothing might be wanting to make him sure of it, and in order to block us up on every side, he caus'd a considerable number of Troops to be rais'd at his own charge in the County of *Wolfembuttel*, that they might invade us on that side; sending at the same time all sorts of Ammunition and Artillery to the *Rhine*, thro' foreign Countrys, the better to invade these Provinces.

That the said King being not satisfy'd to have straitned us in that manner by Land, proceeded farther; and possess-
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sing himself in the Name of the King of *Spain*, of all the Harbours in *Spain*, *Naples*, *Sicily*, and other Islands in the *Mediterranean*, and also the *Spanish Netherlands* and the *Indies*, he made himself entire Master of the Commerce of *Europe*, and obtain'd the Power to exclude us and other Nations from it: And finally, that we might have no room nor place left us for Trade, he endeavour'd to persuade the King of *Portugal* to forbid us his Harbours, and sent at the same time a Squadron into the *West-Indies*, on purpose to seize the Silver Fleet, in which our Subjects and those of other Princes and Potentates are so considerably concern'd.

That Affairs being in that intricate and dangerous Condition, we as the nearest and most expos'd to the fire, having in the first place invok'd God Almighty to our assistance, thought it necessary to put ourselves into a posture of defence, and to arm ourselves as well as we could both by Sea and Land against that exorbitant Power, and the Dangers we were threatn'd with; and at the same time to desire of our Neighbours and Allies, the Succours they had promis'd us by Treatys, in case we were molested and disturb'd: which they having granted us with the same readiness as we desir'd, we put ourselves in that condition, that refusing to hearken to any private Treaty with *France*, we had time to confederate ourselves with his Imperial Majesty, the King of *England*, the King of *Prussia*, and other Princes and Potentates, for the common Defence of our and their respective Dominions, the Preservation of the Liberty of *Europe*, and for recovering the general Peace and Tranquillity.

That every one beginning to open their Eyes, and to think of their natural Defence, the Emperor sent a considerable Army into *Italy* to oppose the *French* King.

That his Imperial Majesty having thought fit to dislodge the *French* out of the Electorate of *Cologne*, and us'd all imaginable ways for it, did, together with the Directors of the Circles concern'd therein, desire our Assistance; which we, conformable to our Engagements, our own Defence, and the strict Alliance we were entred into, could not refuse, but on the contrary thought it necessary that our Forces there and elsewhere shou'd act as Auxiliaries by way of Diversion.

That these Proceedings of the *French* have, to our great Sorrow, kindled a War in several Parts of the World,

World, which is actually begun and carry'd on with a great deal of violence.

That as we had not given the least pretence thereunto, but on the contrary made our utmost Efforts for the preservation of the General Peace, we were very glad to see a Minister that the *French* had sent into these Parts, and neglected nothing to engage to make some Proposals for maintaining the General Peace; but seeing we could not succeed therein, we made ourselves some Demands, which we thought necessary for recovering a general Tranquillity, and our private Security; but there has been no manner of Answer, nor the least offer made thereupon.

That indeed some outward Protestations of Peace had been made on that side: but as at the same time they continu'd their Warlike Preparations, to seize the Lands of our Neighbours, and to confederate themselves with several Princes and Potentates, they have clearly manifested that their Protestations wou'd come to nothing, unless we were resolv'd to treat separately from our Allies; and this they have still more evidently discover'd by recalling successively two Ministers.

Finally, that King has upon that foot caus'd his Resident to declare unto us, in a Memorial, that his Armys were in a condition to act against us, if we came to no Resolution about the things contain'd in that Memorial.

And as there is nothing more evidently known, than that the Designs of the present King of *Spain* against the Liberty of our State and Commerce, are the same as those of the King of *France*; nay, as all the World must be convinc'd by the whole Direction and Management of Affairs, that the King of *France*, and the present King of *Spain* are one and the same in effect, and that the present King of *Spain* can do or will do nothing but what the King of *France* pleases, and will have him to do; even that the Kingdoms of *France* and *Spain* are united into one: it follows from hence that whatever the King of *France* has done against us and our Allies, in the Name of the King of *Spain*, must be taken and understood to be made by the King of *Spain* himself, or at least by both of them. That by these means the King of *France*, above what has been already said, has made use of the *Spanish* Troops in the Name of the King of *Spain*, to carry on his Designs against us; that in that Name he has erected a Fort within the reach of the Canon of a Fortrefs belonging to the States, contrary

trary to the Treaty concluded with the King of *Spain* in the year 1648. and contrary to the Laws of Nations and those of War.

That the King of *Spain* has not only suffer'd these Proceedings of the King his Grandfather, but absolutely approv'd the same, and the actual seizing of the whole Monarchy of *Spain*, and in particular of the *Spanish Netherlands*, the necessary Barrier for our State.

That all Divine and Human Laws dictat'd to us, that being thus straitned, block'd up on all sides, and actually attack'd by the Kings of *France* and *Spain*, and threatned by them with so many Dangers, we may and are bound to make use against them of all the means God and Nature hath put into our hands for our Defence, protecting our Subjects, and for preserving their Religion and Liberty; and to that end to take up Arms against the said Kings of *France* and *Spain*, who have together conspir'd our Ruin and Destruction, and to declare War against them; as we do by these Presents; trusting that Almighty God will bless the Justice of our Cause, and the means we shall make use of; desiring all Kings, Princes, Republicks and States, who love their own Preservation and Liberty, together with that of *Europe*, that they will regard this our Declaration, as an effect of an urgent and pressing Necessity for defending ourselves, and protecting our Subjects, and consequently all *Europe*; and that they will in conjunction with us oppose the ill Designs of the Kings of *France* and *Spain*, and their exorbitant Power, whereby they intend to make themselves masters of all *Christendom*, and to that end give us Aid and Assistance.

Lastly, We command and require all our Subjects and Inhabitants of these Provinces, Commanders, Officers, Soldiers, and others, of what quality soever they be, to own and regard the said Kings of *France* and *Spain* as Enemys of this State, to invade their Countreys, and fall upon their Subjects and Vassals both by Sea and Land, to repel their Violence, and to do every thing they are oblig'd to do for the Defence of our Country and Damage of our Enemy.

And that no body may pretend to be ignorant thereof, we require and command the Lords States, Counsellors and Deputy States of these respective Provinces, and all other Officers and Magistrates of this Country, to cause these Presents to be proclaim'd, publish'd and posted up on the 15th day of this instant, in places where publications

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of this nature are usually made; commanding likewise, that the same be publish'd and affix'd in the usual Places of the District of the Generality. Done and concluded in the Assembly of the Lords the States General, at the Hague, May 8, 1702.

Sign'd,
W. de Nassau:
And underneath,
F. Fagel.

And Seal'd with the Seal of the States-General, in Red-Wax.

*The Emperor's Declaration of War against
France and the Duke of Anjou, May
15, 1702.*

WE *Leopold*, by the Grace of God elected Emperor of the Romans, in Germany, ever August, King of Hungary, Bohemia, Dalmatia, Croatia, Slavonia, Arch-Duke of Austria, Duke of Burgundy, Stiria, Carinthia, Carniola, and Wirtemberg, Earl of Tyrol, &c. do make known, That tho since the conclusion of a General Peace, not many years ago at *Reswick* in *Holland*, the Crown of *France* hath, as well by refusing for a long time to restore the Fortress of *Brisac*, as by the Injurys and Damages done to the House of *Montbeliard*, together with other Violations, made it abundantly evident that they did not intend to observe this solemn Treaty better than any of the former; however, being in hopes that we might pass the remainder of our troublesom Reign in Peace, and after having suffer'd so many vexations, to maintain the holy Roman Empire, and our Kingdoms and Hereditary Dominions, in the enjoyment of the present Peace, and for the future to prevent the effusion of so much innocent Christian Blood, we have chosen rather patiently to endure their Insults, and to endeavour to find out means of amicably composing the differences, than to enter into a fresh Quarrel upon that account, and thereupon begin a destructive War.

War. But whereas immediately after the Death of *Charles II.* and Duke of *Austria*, under the colour of a Will suppos'd to have been made by that Prince, which however is really null and of no validity, and notwithstanding all the Marriage-Contracts, Renunciations, Cessions, Treatys of Peace, and former Oaths, the King of *France* has made himself Master of all the Kingdoms and Countrys of his said Majesty (among which there are some that did belong to our Arch-ducal House, before they came under the power of the Crown of *Spain*, besides those that are Feudatory and Dependent of the Empire) and has by Intrusion put his Grandson the Duke of *Anjou* into the same, and has moreover taken by force the Dukedom of *Mantua*, and other Fiefs of the Empire, altho they never belong'd to the Monarchy of *Spain*; and has also caus'd a great number of his Troops to enter into the Diocess of *Cologne* and *Liege*, hath seiz'd and put Garisons into all the Towns and strong Places, hath added new Fortifications to them, and every where erected Magazines; and contrary to our lawful Ordinances and the execution thereof, according to the Laws of the Empire, committed to the Princes of the Circles, hath supported by force of Arms and strengthened the Elector of *Cologne* in his disobedience; and on the other side hath caus'd the faithful Subjects of the Empire to be imprison'd, and particularly the Baron *de Mean*, Dean of *Liege*; and hath seiz'd and carry'd away several others from off the Lands of the Empire, and hath attack'd in a hostile manner, and ill treated the Princes of the Circles, who according to their Duty endeavour'd to put in execution our lawful Imperial Mandates: And furthermore, his Grandson the Duke of *Anjou* hath taken to himself the Titles that belong to none but our Arch-ducal House, and hath caus'd himself to be call'd the Duke of *Austria*, Count of *Hapsburg* and of *Tyrol*. We look upon it as a thing inexcusable any longer to pass by in silence such Hostilities, Infractions and Violences committed both against our Arch-ducal House, and our high Imperial Dignity; on the contrary we find ourselves oblig'd, in consequence and by virtue of the Laws of Nature, of Nations, and of the Holy *Roman* Empire, and particularly in consequence of the Capitulation we swore to at the time we were elected Emperor, and of our Imperial, Arch-ducal and Patrimonial Dignity, to hinder them with all our Force and Power (since the endeavours of other Potentates have had as little Success

Success with the said Crown of *France*, as the Offers we have made of coming to an amicable Agreement) and that so much more, in as much as 'tis a matter unquestionable, that the said Will, which at present serves for a colour of the said Hostilities of *France*, was contriv'd by some brib'd *Spanish* Counsellors, according to the Directions of the *French* King, and that it was offer'd to his said late Catholick Majesty, when he was sunk to such a weakness of Body and Mind, as not to be able to read or understand, much less to weigh and examine, as was necessary, the large Contents of the said Will. And moreover as 'tis altogether contrary to the Intention of the said late King, which he had so often signify'd to us, and as the said Will is full of falsities, and of incomprehensible and contradictory matters; and lastly, as it gives as little satisfaction to our just Demand, as the King of *France* cou'd receive from it; not to mention, that as yet it hath not been duly executed by them, but hath already been broken in many Points, more particularly, forasmuch as 'tis evident, that the said Arbitrary Enterprizes, as well by himself, as in the Name of his Grandson, as pretended Lord of the Circle of *Burgundy*, and consequently a declar'd Enemy to us and the Empire, do tend to the overthrow and destruction of the Imperial Dignity, the Authority and Rights which were entrusted to us, by a lawful Election.

Supported therefore by the Justice of our Cause, and trusting in the Assistance of Almighty God, we declare and publish by these Presents, that we hold for our Enemys the *French* King, and the Duke of *Anjou*, with their Subjects and Adherents; and that to prevent the publick Violence and Injury which are done by them to us, the Empire, and the Loyal States of the said Empire, and to defend our Imperial and other Rights, we are oblig'd to take up Arms, and to cause our Troops to march against our said Enemys: We command by these presents the faithful Subjects of us and the Empire, by the Duty wherein they stand engag'd to us and the Empire, and under pain of deprivation of Life and Goods; and we seriously enjoyn them by these presents, That none of them do engage into the Service of the said Crown of *France*, of the Duke of *Anjou*, or of his Adherents; and that none of them do undertake in the least to do any Service, or give them any Assistance, or maintain with them directly or indirectly, any Commerce, Partnership or Correspondence, but
that

that from this moment they do wholly break off and abstain from the same, and do assist us with all their Power to pursue and attack our said Enemys, and those which belong to them. We have also this entire confidence in the Electors, Princes and States of the Empire, that they will all in general, and every one in his own particular, from this time forward, at such time as we shall consult with them, according to the exigence of Affairs, concerning what may be fit to be done in a matter that does not respect us alone, but likewise relates to the Welfare and Security of the other principal Members of the Empire in particular, and consequently that of the whole *Roman Empire*, aid and assist us in our lawful and just Undertaking, with their faithful and wise Advice, and with the sincere, unanimous and firm Conjunction of all the Force, which God and the Empire has given them, to free themselves and other injur'd States from Oppression; that they will contribute towards removing all those Calamitys, and that they will not suffer themselves to be drawn away in any wise: Let every one therefore regulate himself, and take care accordingly. In witness whereof we have caus'd these Presents to be seal'd with our Imperial Seal.

Given at *Luxemburg* the 15th day of *May*, 1702. in the 44th year of our Reign over the Empire, the 47th over *Hungary*, and the 46th over *Bohemia*.

LEOPOLD.

(L. S.) *Ut D. A. Caunitz.*

By his Imperial Majesty's express Command,

C. F. Combruck.

This Treaty was set on foot in Holland, and Negotiated by the Duke of Marlborough in 1705. and we are inform'd was concluded by the Lord Hallifax in 1706.

HER Majesty the Queen of *Great Britain*, and the Lords the States General of the *United Provinces*, having consider'd of what Importance it is to the Quiet and Safety of their Kingdoms and Dominions, and to the publick Tranquillity, that the Succession to the Crown of *England*, as it is at present settled by the Laws of the Kingdom, shou'd be maintain'd and secur'd; and having cause to apprehend the Troubles and Calamitys that might arise on account of that Succession, if hereafter any Person or Potentate shou'd call it in question: for these Reasons Her said Majesty of *Great Britain*, tho in the vigor of her Age, and enjoying perfect Health, which God long preserve, has out of her usual Prudence and Piety, thought fit to enter with the Lords the States General of the *United Provinces*, into a particular Alliance and Confederacy; the principal Design and only End of which shou'd be the publick Peace and Tranquillity, and the preventing, by Measures taken in time, all Events that might hereafter excite new Wars. In this view, her *Britannick* Majesty has given her full Power to *N. N.* to agree upon certain Articles of an Additional Treaty to the Treatys and Alliances she is already engag'd in with the Lords the States General of the *United Provinces*; and the Lords the States General of the *United Provinces* have to the same purpose commission'd *N. N.* who by virtue of their full Powers have agreed upon the following Articles.

I. The Treatys of Peace, Friendship, Alliance and Confederacy, &c. between her *Britannick* Majesty and the States General of the *United Provinces*, are approv'd and
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confirm'd by the present Treaty, and shall continue in their former Force and Vigour, as if they were inserted word for word.

II. The Succession to the Crown of *England* having been regulated by an Act of Parliament pass'd in the twelfth Year of the Reign of the late King *William III.* entitled, *An Act for the Limitation of the Crown, and for the better Security of the Rights and Libertys of the Subject*: And the same Succession having now lately in the fourth Year of the Reign of her Majesty the Queen now reigning, been further settled and corroborated, by another Act made for the better Security of the Person and Government of her Majesty, and of the Succession of the Crown of *England*, &c. in the Line of the most Serene House of *Hanover*, and in the Person of the Princess *Sophia*, and her Heirs, Successors, and Descendants, Male and Female, born or to be born: And no Potentate having any Right to oppose the Laws made on that subject by the Crown and Parliament of *England*, if it should happen however that any Person, Potentate or State should under any pretext, or for any cause whatever, pretend to call in Question the Settlement which the Parliament has made of the said Succession, and to assist or favour those who shall oppose it, either directly or indirectly, by open War, or by fomenting Seditions and Conspiracys against her or him on whom the Succession to the Crown of *England* should devolve, conformably to the same Acts; the States General of the United Provinces engage and promise to assist and maintain in the said Succession Her or Him to whom it shall belong, by virtue of the said Acts of Parliament, to help them to take possession of it, to maintain them in that possession if they shall have already taken it, and to oppose those who shall attempt to disturb them in taking possession, or in the actual possession of the said Succession: obliging themselves for that purpose to furnish them by Sea and Land with Succours and Assistance necessary to maintain by force the most Serene House of *Hanover* in the said Succession, as it is establish'd by the Acts of Parliament above-mention'd.

III. After the Ratification of this Treaty, the Conditions on which the said States General of the United Provinces shall engage to furnish the Succours that shall be judg'd necessary as well by Sea as by Land, shall be agreed and settled.

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IV. If her *Britannick* Majesty, or the States General of the United Provinces, shall be attack'd by any Power whatsoever on account of this Agreement, they shall mutually assist each other with all their Forces, and be Guarantees for the Execution of the said Agreement.

V. All Kings, Princes and States that may be desir'd to enter into this present Treaty, shall with all expedition be invited and admitted into it, particularly his Imperial Majesty, and the Kings of *Spain* and *Prussia*; and her *Britannick* Majesty, and the States General of the United Provinces, and each of them in particular, shall be at liberty to invite such Potentates as they shall think convenient, to enter into this Treaty, and engage for its Execution.

VI. Time having shewn the Omission made in the Treaty sign'd at *Reswick* 1697. between *England* and *France*, in the point of the Right of her Majesty the Queen of *Great Britain*, now reigning, to the Succession of *England*; and that because her Majesty's said incontestable Right was not expressly insert'd in that Treaty, *France* refus'd to acknowledge her for Queen of *Great Britain* after the death of the late King *William-III.* of glorious memory: 'tis agreed between her Majesty the Queen of *Great Britain* and the Lords the States General of the United Provinces, that in case a Negotiation of a Treaty of Peace with *France* shall be set on foot, they will not only exert their utmost Efforts to oblige *France* to acknowledg, by an express Article of the Treaty of Peace, the Succession of *England* in the most Serene House of *Hanover*, as it is regulated and establish'd by Acts of Parliament; but that they will make it an Article of the Preliminaries of the Treaty of Peace, and will not enter upon any Negotiation or Debate about the Articles of the said Treaty of Peace, before *France* has previously consented to that Preliminary.

A MEMORIAL, containing the Usurpations of France during the Reign of King Lewis XIV.

THOSE Sovereigns who aim at true Glory, and have a real Concern for the Good of their People, and the Quiet of the World, cannot study too much the Politicks of *France*; to the end they may conceive the greater Abhorrence of them, and once for all take an effectual course to be no more deluded by them.

When that Crown has found opportunitys to aggrandize itself, it has never boggled at the Violation of Treatys, even of those confirm'd by solemn Oaths; and has thereby sufficiently warn'd the Allys not to lay down Arms, before they have settled the only Guaranty that is capable of securing a Treaty with *France*.

That Guaranty can be no other, than to put that Crown under an impossibility of violating its Engagements; for certainly the Allys must now be convinc'd, that *France* has no other Principles nor Aims than its own Grandeur, and the Oppressions of others. Of this they have had all imaginable Proofs, not only in all Acts of Violence which that Crown has committed openly, but in all Negotiations; wherein *France* has made use sometimes of Haughtiness and Threats, sometimes of Suppleness and underhand Practices.

Of this Management many Instances might be produc'd, but at this time 'tis thought sufficient to give a summary View of the Degrees by which *France* has aggrandiz'd itself since the Peace of *Munster*. It would be tedious to represent at large the Acts and Engines that Crown has employ'd to attain to such Grandeur; and besides, few are ignorant that its Acquisitions, or rather Usurpations, so pernicious to the publick Tranquillity, sprung from other Causes, and were atchiev'd by other means, than those of Equity and Justice.

First in 1648. in *Germany*, by the Treaty of *Munster*, the King of *France* procur'd to be yielded to him the Town,

of *Brisac*, the Landgraviate of the Upper and Lower *Alsace*, the *Suntgom*, the Prefecture of the ten Imperial Towns situate in *Alsace*, viz. *Haguenau*, *Colmar*, *Schelfstadt*, *Weissenburgh*, *Landsau*, *Obernheim*, *Rocheim*, *Munster au val St. Gregoire*, *Keifersbergh*, and *Tungheim*, with all the Villages and Rights belonging to the said Prefecture; the Villages belonging to the Community of *Brisac*, with all the antient Territory of that Town.

In *Lorain*, the Town of *Moyenvic*, and the Possession of the three Bishopricks of *Metz*, *Toul*, and *Verdun* confirm'd.

In *Piemont*, the Possession of *Pignerol* confirm'd.

Secondly, in 1651. the King of *France* caus'd the Duke of *Bovillion* to yield and make over to him the Town and Castle of *Sedan*, *Rancour*, and the Dutchy of *Bovillion*.

Thirdly, in 1659. by the Treaty of the *Pyrenees*, *France* had on the side of the *Pyrenees*, the Town and Citadel of *Perpignan*, with the *Roussillon*, the *Conflans*, and part of the *Cerdagne*, with *Casel* and thirty three Villages.

In the *Netherlands*, the County of *Artois*, in which are the Towns of *Arras*, *Baupaume*, *Bethune*, *Lillers*, *Lens*, *St. Pol*, *Teroane*, *Pas*, &c. Part of *Flanders*, with *Gravelines*, *Fort Phillip*, the *Fort del Ecluse*, *Fort Henvin*, *Bourbourg*, and *St. Venant*. Part of *Hainault*, in which are the Towns of *Landrecy*, *Quesnoy*, *Mariembourg*, *Phillippeville*, *Avennes*. Part of *Luxembourg*, with *Tbionville*, *Montmedy*, *Damvilliers*, *Tvoo*, *Chaveney le chaud*, *Marville*.

In the Territorys of the Duke of *Lorain*, the Dutchy of *Bar*, and part of *Lorain*, viz. *Clermont*, *Stenay*, *Dun*, *Jamets*, and the Possession of *Moyenvic* confirm'd.

Fourthly, in 1662. the King of *France* bought and had deliver'd to him, by *Charles II.* King of *England*, the important Place of *Dunkirk*, for five millions of *Livres*.

Fifthly, in 1668. by the Treaty of *Aix la Chapelle*, the King of *France* had yielded to him, in the County of *Namur*, *Charleroy*; in the County of *Hainault*, the Towns of *Binch* and *Arth*; in the County of *Flanders*, the Balliage of *Doway*, wherein is *Doway*, the Fort of *Scarp*, *Pontarasse*, *l'Ecluse*, *Orchies*, *Marchiennes*. The *Tournesis*, wherein are the Towns of *Tournay*, *St. Amand*, and *Mortagne*: the Castellany and Town of *Audenarde*, the Province and Government of *Lisle*, with the Town of that name; the *Caremban*, in which are *Pontavendin* and *Phalompin*; the *Puede*, in which are *Montsenquele*, *Chisoin*,
Pont

Pontamark, and *Pontabouwinnes*: the *Melanthoise*, wherein are *Pontatreffin* and *Seclin*: the *Ferain*, in which are *la Bassée* and *Hautbourdin*. The Town of *Armentiers*, the Castellany of *Courtray*, *Menin*, *Harlebeck*, *Deinse*, *Thielt*, *Rosebeck*: the Viscounty of *Berg*, in which are *Berg St. Vinox*, and *Fort St. Francis*: the Viscounty of *Furnes*, with *Furnes*, *Fort Knocque*, &c.

Sixthly, in 1679. by the Treaty of *Nimeguen*, the King of *France* had in the County of *Flanders*, the Towns and Castellany of *Ypres*, *Bailleul*, and *Cassel*, with their Dependencys; the Confirmation of the Towns and District of *Menin*, the Towns and Dependences of *Warneton* and *Poperingen*. In *Artois*, the Towns and Dependencys of *St. Omer* and *Aire*. In the *Cambresis*, *Cambray*; in *Hainault*, the Towns and Dependences of *Valenciennes*, *Bouchain*; *Conde*, *Bavay*, and *Maubeuge*; *Dinant* in the Bishoprick of *Liege*; the *Franche Comte*.

In *Germany*, the Town and Citadel of *Friburg*, with three Villages depending on it.

In *Lorain*, the Towns of *Nancy* and *Longies*, with four Roads cros[s] *Lorain*, from *Nancy* to *Metz*, *St. Didier*, *Vesoul*, and into *Alsace*.

'Tis to be observ'd, that in the Treaty of *Nimeguen* 'twas stipulated between the *French* and *Spaniards*, that Commissioners should meet at *Cambray*, to regulate all Disputes that might arise concerning the Limits; but after several long Contests, occasion'd by the exorbitant Pretensions of *France*, that Crown form'd Claims to intire Provinces under the denomination and pretext of Dependencys; and thereupon in the Spring of the Year 1680. took possession of the Abbeyes of *Thierry* and *St. Gerard*, with forty Villages in the Province of *Namur*, and the Abbey of *Molin*.

In *February* 1680. the Emperor represented to the Diet at *Ratisbon*, that the *French* had broken the Treaty of *Nimeguen* in several points: 1. By maintaining Troops in the Empire. 2. By keeping the Places which they ought to have evacuated. 3. By exacting Contributions. 4. By demanding from the ten Towns of *Alsace* a new Oath; under pretext of Sovereignty, erecting a superior Court of Judicature, and forbidding the carrying any Suit before the Imperial Chamber of *Spire*. 5. By obliging the Vassals and Nobles of *Alsace* to take a new Oath. 6. By pretending a Right of Vassalage upon *Metz*, *Toul*, and *Verdun*; and upon other Imperial Provinces and Towns.

7. By confiscating the Revenues of the Chapter of *Strasburg*. 8. By making new Fortifications at *Schlestad* and *Hunninghen*. 9. By refusing to restore the Dutchy of *Montbelliard*. 10. By taking possession of *Hombourg* and *Bitsch*. 11. By forming of several Pretensions relating to the City of *Strasburg*. After a long Deliberation, the Diet resolv'd that these Proceedings of *France* were directly contrary to the Treatys of *Munster* and *Nimeguen*; that the Emperor should be desir'd to demand Satisfaction, in his own name, and on the part of the Empire; and that this Resolution should be notify'd to the Ministers of *France* at the Imperial Court and at *Ratisbon*, with a Remonstrance of the Injustice of the said Infractions of the said two Treatys.

But the *French*, instead of satisfying such just Demands, extended the Limits of *Alsace*, form'd new Pretensions upon *Sunterburg* in the Bishoprick of *Spire*, possess'd themselves of *Falkenstein*, and of good part of the Palatinate; and in 1681. they surpriz'd by Treachery the important City of *Strasburg*.

The aggrandizing of *France* on the side of *Italy* no less alarms: for in 1681. the Duke of *Mantua* deliver'd *Casal* into the hands of the *French* for four Millions of Livres. At the same time a *Frenchman* raking into the Archives of the Parliament of *Metz*, pretended to find that all *Alsace*, *Lorain*, the Countys of *Chinay*, *Arlon*, *Vierson*, the whole Country of *Luxemburg* except the Capital City, divers Villages and Lordships in *Germany*, *Brabant*, *Flanders*, *Hainault*, *Artois*, and in the County of *Liege*, belong'd to the Crown of *France*, as Dependencys of the Bishopricks of *Metz*, *Toul*, and *Verdun*, or of other Places yielded by the Treatys of *Munster* and *Nimeguen*.

To make the best of this pretended Discovery, the King of *France* establish'd a Tribunal at *Metz*, and another at *Brisac*; and the Lords and Inhabitants of the foremention'd Places were summon'd to appear before Judges and Partys, to hear themselves condemn'd to make their Submission to the King, and to receive his Orders: and in case of Non-appearance, they are condemn'd for Contempt of those Tribunals.

'Twas under these pretexts that *France* seiz'd *Strasburg*, and block'd up *Luxemburg*, in time of Peace; because *Spain* would not yield to them several places which they demanded in *Flanders*.

These

These Proceedings so alarm'd at last the Potentates of *Europe*, that the Emperor, the King of *Sweden*, the States General, the Circle of *Franconia*, and several Free Imperial Citys, made a Defensive League, which was concluded at *Ausburg* by the Management of the late K. *William*.

In the mean time, the *Dutch* being desirous to procure an Accommodation between the *French* and *Spaniards*, propos'd for Mediator *Charles II.* King of *England*; but the *Spaniards* having cause to believe him very partial to their Enemy, rejected his Mediation. Then the *French*, encourag'd by the Irruption of the *Turks* into the Empire, surpriz'd *Courtray* and *Dixmude*; whereupon the Court of *Spain* dismiss'd the *French* Ambassador, and recall'd their own. Immediately the most Christian King gave order for the Marquis *de Bellefond* to attack *Gironne* in *Catalonia*; and for his Troops on this side to besiege *Luxemburg* in form. King *William*, at that time Prince of *Orange*, knowing the Importance of that Place, propos'd to the States General a new Levy of 16000 Men, and to take the field in order to hinder the *French* from executing their Design; but that Proposition did not take effect.

The Prince, notwithstanding, being ever attentive to the preservation of the Tranquillity of *Europe*, march'd with a small Body of Forces to relieve *Luxemburg*; but it was oblig'd to surrender by Capitulation before they could get thither.

After this important Conquest, *France* propos'd a Truce of twenty Years, which was design'd at the *Hague* the 29th of *June* 1684. and was broken by *France* by the Siege of *Phillipsburg* in 1688.

The happy Revolution in *England* gave King *William* means to engage divers Sovereigns to enter into a War, that was absolutely necessary for procuring the Repose of *Europe*. That War was determin'd by the Peace of *Reswick*, which appear'd so disadvantageous to *France*, that the *French* Nation cry'd out against it, because the Views and Politicks of that Crown were not known.

But *France*, by yielding up several considerable Conquests, and annulling divers Reunions made after the Peace of *Nimeguen*, laid the foundation of their cover'd Design to draw the net over the largest Monarchy in *Europe*. They easily agreed to all the Restitutions stipulated by the Treaty, having form'd a Project to put themselves soon in possession not only of all that they seem'd to give up, but

of the best part of *Europe* and *America*. For the rest, they had so little regard to that Treaty after they had sign'd it, that they made no scruple to violate the Tariff of Commerce made in consequence of it with the States General.

The Treaty of Partition was the greatest Effort of the most refin'd Politicks of *France*. 'Twas to no purpose that the most Christian King was allow'd by that Treaty to possess himself of divers very considerable Provinces and Kingdoms, for fear he should invade and take more by force: He had no sooner gain'd his ends by that Treaty, than he broke it, in solemn Contempt and Mockery of the Credulity of the Potentates who had made it with him.

By this general Account of the Usurpations and Infidelities of *France*, let every impartial Person judge, whether the stipulated Preliminaries of Peace are not a shining Proof of the Moderation of the Allys; and whether they can safely sheath the Sword, till (by the Blessing of the Almighty, which has hitherto so eminently favour'd them) they have reduc'd *France* to an absolute Inability of endangering (either by Force or Fraud) the Peace and Libertys of *Europe* hereafter.

A

A Deduction of the Right and Title of the Crown of Great Britain, and therein of our most Gracious Sovereign Lady Queen ANNE, to all the Straits, Bays, Seas, Rivers, Lakes, Creeks, Islands, Shores, Lands, Territorys, and Places whatsoever, within Hudson's-Straits and Hudson's-Bay; and of the Right and Property of the Hudson's-Bay Company, deriv'd from the Imperial Crown of Great Britain, by Letters Patent of Incorporation, and a free Grant of all the Premises from King Charles the Second, Anno 1670.

1497. **T**HAT *Hudson's-Bay* (with all that belongs thereto within *Hudson's-Straits* in *North-America*) was first discover'd by Sir *Sebastian Cabott*, Grand Pilot to King *Henry VII.* who gave *English* Names to several Places of the said Bay.

1576. Sir *Martin Forbisher*, in Queen *Elizabeth's* time made three Voyages to the said Bay in 1576, 1577, and 1578. and gave *English* Names to several Places there.

1585. Captain *Davis* made three Voyages thither in the Years 1585, 1587, and 1588. and gave *English* Names to several Parts of the said Bay.

1610. *Henry Hudson*, an *Englishman*, sail'd into the Straits and Bay, from him call'd *Hudson's-Straits* and *Hudson's-Bay*, and keeps that Denomination to this day in all the Authentick Maps in the World, and even in the Maps of the best Geographers of *France*. The said *Hudson* staid a whole Winter there, took possession thereof in the name of the King of *England*, traded with the Savages, and gave Names to several other parts of the Straits and Bay.

1612.

1612. Sir *Thomas Button* pursu'd the Discovery and Possessions of the aforesaid *Hudson*, sail'd into the Straits and Bay with two Ships; and particularly into *Port Nelson*, where he winter'd, and bury'd the Commander of his Ship there, in memory of whom he gave it the Name of *Port Nelson*, and call'd that particular Bay *Button's-Bay* (as it is still call'd in the Maps) took possession thereof in the name of his Master King *James I.* and gave several other *English* Names to other places in the Bay; erecting a Cross there, declaring thereon the Right of the Crown of *England*.

1631. Captain *Luke Fox*, by command of King *Charles I.* made a Voyage to *Hudson's-Bay*; and amongst other places enter'd *Port Nelson*, and finding there the Cross erected by Sir *Thomas Button*, with the Inscription defac'd and almost worn out, he erected it again with a new Inscription, declaring the Right and Possession of his then Majesty King *Charles I.* nam'd the adjacent Country *New North-Wales*, and publish'd a Journal of his Voyage.

Note, That the Troubles and Civil Wars which soon after broke out in *England*, might be one principal Cause why those Voyages were not prosecuted; Trade in general then failing, and Navigation and Discoverys wanting the Encouragement of the Government, till after the Restoration of King *Charles II.* Yet it is observable, that all that while (for so many years) that those Places and Countrys lay neglected and unfrequented by the Navigation or Commerce of any *European Nation*, the *French* do not in the least pretend to have then visited those parts, to have form'd a Possession, or attempted any Commerce with any People upon those Coasts; nor do they pretend that ever any *French Vessel* sail'd into *Hudson's-Straits* or *Hudson's-Bay*, till of late years.

1663. It was therefore after the happy Restoration of King *Charles II.* that Trade and Commerce began to revive; and in particular that some Noblemen, and other publick-spirited *Englishmen*, not unmindful of the Discovery and Right of the Crown of *England* to those Parts in *America*, design'd at their own Charge to adventure the establishing of a regular and constant Trade to *Hudson's Bay*, and to settle Forts and Factories there, whereby to invite the *Indian Nations* (who liv'd like Savages many hundred Leagues up in the Country) down to their Factories,

rys, for a constant and yearly Intercourse of Trade which was never attempted by such Settlements, to reside in that inhospitable Country, before the aforesaid *English* Adventurers undertook the same.

1667. Wherefore after a long time of Consultation, and the necessary Preparations for so great a Charge, in the Year 1667. one *Zachary Gilham* was provided of a Ship and Goods in *London*, sail'd thorow *Hudson's-Straits* to the bottom of the Bay, settled a Trade, and built a Fort there, which he call'd *Charles-Fort*, on a River which he nam'd *Rupert's-River* in honour to Prince *Rupert*, who was pleas'd to be concern'd with, and was one of those Adventurers : in which place the *Hudson's-Bay* Company continu'd a Trade, and had there a Factory, till the same was unjustly taken from them by the *French* in time of Peace.

1669. Another Voyage was undertaken by the same Adventurers; and one Captain *Newland* was sent, who enter'd *Port Nelson*, settled there, and a-new declar'd the Right and Title of his Majesty to that River, and the Country adjacent, and there fix'd up his Majesty's Arms, as a Mark of his Sovereignty over the said Places.

1670. After the Charge of these Voyages, and the Experience by these Settlements, that a great Trade might be brought to *England* by Beaver, Furs, and other Commodities; for the just Encouragment of so good and publick a Benefit, and the Persons that had labour'd in it, his then Majesty King *Charles II.* was graciously pleas'd in the Year 1670, according to the undoubted and inherent Right of his Imperial Crown of *England*, by his Royal Letters Patent, to incorporate the said Adventurers, and to grant unto his Highness Prince *Rupert*, the Duke of *Albemarle*, Earl of *Craven*, Lord *Arlington*, Lord *Ashly*, and divers others, and their Successors for ever, all the Lands and Territorys aforesaid, to be reckon'd and reputed as one of his Majesty's Plantations and Colonys in *America*, by the name of *Rupert's-Lands*; and further, to create and constitute them and their Successors, the true and absolute Lords and Proprietors of the same, and of all the Territorys, Limits and Places thereto belonging, to have, hold, possess and enjoy the same for ever, as of his Majesty's Mannor of *East-Greenwich*, in free and common Socage, &c.

1670. In the same Year, the company so incorporated sent out one *Charles Baily* as Governor of their Factorys and

and Settlements in the Bay; with whom Monsieur *Fontenae* then Governor of *Canada*, by Letters and otherwise, entertain'd a good Correspondence; not in the least complaining in several Years of any pretended Injury done to the *French*, by the said Company's settling a Trade and building of Forts at the bottom of the Bay.

1672. The said *Charles Baily* (as the Company's Governor) sent a Ship from the bottom of the Bay call'd the *Imploy*, to *Port Nelson*, to settle a Trade there with the Natives.

1680. As did also Captain *Draper* in the Ship *Albemarle*.

But after above fifteen years Labour and Charge, continual Voyages, Factorys and Settlements, and the Trade with the Natives establish'd, the *French* began now to envy this new and growing Trade, and thought it worth their while to study some Pretences to invade and rob the *English*, and to deprive them of some part of the said Country.

1682. When the *English* Company were building a Fort, and settling a Trade at *Port Nelson*, the *French* having form'd a private Expedition at *Quebeck* in *Canada*, by Confederacy of one *La Chanay*, and other private Persons, came suddenly with two Ships into the said River of *Port Nelson*, and with a stronger Force surpriz'd the said Company's Men, and dispossest'd them of their Place and Settlement, carry'd them Prisoners to *Canada*, and pretended to settle a Trade there themselves: but this was the first time that ever the *French* did sail a Vessel into *Hudson's Bay*, since the beginning of the World. This was a Piratical Expedition, and the Authors of it were prosecuted as such, by frequent Memorials from hence, at the Court of *France*; where the same was disown'd by his most Christian Majesty, and Satisfaction promis'd by him accordingly.

But as the *French* seldom want Assurance for their Pretensions or Claim to any thing for their Advantage, so they never fail of Artifice or Force (when they can) to back such their Pretences; and when by Violence, Rapine, and Murder, they got themselves into an unjust Possession, as aforesaid, then they pretended to expostulate all by a Treaty (as if they were upon an equal foot with the right Possessor) and they seconded this injurious Invasion and Assault a year or two after (1683.) by taking a Ship

Ship of the Company's, one *Edward Humes* Commander, with the Goods, and carry'd the Men away Prisoners, and for above a year fed them with Bread and Water.

1686. They form'd a greater Design, and went with a considerable Force over Land from *Canada* to the Bottom of the Bay, and by Force or Treachery surpriz'd and took all the Company's Factorys, therewith all the Ammunition, Goods, Stores and Merchandize therein, to a very great Value, murder'd and destroy'd many of his Majesty's Subjects: And all these Invasions, Seizures, and Depredations were in a time of Peace, and the best Correspondence between the two Crowns; which is an Action scarce to be parallel'd by any Civiliz'd Nation, when the way is open for Complaints to the Prince on either side.

1687. Upon these repeated Injurys, the said Company complain'd several times to his then Majesty King *James II.* several Memorials were presented at the *French* Court by the publick Ministers then there, my Lord *Preston*, Sir *William Trumbal*, and Mr *Skelton*. At last his most Christian Majesty did appoint Commissioners to meet at *London*, to treat of those matters; and M. *Bonrepos* was sent over hither, to be join'd with M. *Barillon* the *French* Ambassador in that Affair: wherein very many Papers were exchang'd on both sides. But even in that Reign (so advantageous to the *French* Interest) they did not obtain one inch from the Right of the Imperial Crown of *Great Britain*, nor from the Property of *Hudson's-Bay* Company. But on the contrary, his then Majesty did declare, that his Honour and the Company's Interest were concern'd therein, and would have Reparation for both.

1689. At his late Majesty King *William III.*'s happy Accession to the Crown, the said Company put in a fresh Petition and Memorial to his Majesty, of their grievous Sufferings from the *French*; which his Majesty was graciously pleas'd to resent so far, that he made it one of the Articles and Grounds of a Declaration of War against *France*.

And tho by the late Treaty of *Reswick* Commissioners were appointed on both sides, to examine and determine the Rights and Pretensions which either King had to the Places situated in *Hudson's-Bay*: before which Commissioners the Right and Title of the Crown of *England* to the whole Bay and Straits of *Hudson*, was then clearly made out,

out, which the French, could never disprove: yet they still most unjustly keep possession of the greatest part thereof, which if they be permitted to enjoy, they will become sole Masters of all her Majesty's Dominions and Territories in those parts, which are of great extent, and the undoubted Right of the Crown of Great Britain, and of very great Concern to all her Majesty's Subjects, especially to those that inhabit or trade to the Northern Parts of her Majesty's Plantations in America.

F I N I S.



